

Election Advisory No. 2023-25

May 4, 2024 Election and June 15, 2024 Runoff Election Law Calendar

The uniform election date in May of an even-numbered year is a date on which many local political subdivisions, such as cities, school districts, and water districts, have their regular general elections for members of their governing bodies or special elections to fill vacancies. Therefore, this calendar is required to meet the needs of many diverse governmental bodies.

House Bill 357 (88th Leg., R.S., 2023) amended Section 2.025 of the Texas Election Code to require the Secretary of State to set the runoff date for all runoff elections resulting from an election held on a uniform election date. Pursuant to Section 2.025, the Secretary of State has designated Saturday, June 15, 2024 as the election date for all runoff elections resulting from elections held by local political subdivisions on the May 4, 2024 Uniform Election Date.

If there are questions about the applicability of something in this calendar to your specific election, do not hesitate to call the Elections Division of the Office of the Texas Secretary of State at 1-800-252-VOTE (8683).

1. Note on Campaign Information

Under Title 15 of the Texas Election Code, candidates running for an office must file campaign contribution and expenditure reports. For further information and all questions about such disclosure filings, campaign finance, and political advertising, please contact the [Texas Ethics Commission](#) at 201 E. 14th Street, 10th Floor, Austin, Texas 78701; call 512-463-5800; or access their website.

2. Note on Statutory and Administrative Code References

Unless otherwise indicated, all references are to the Texas Election Code. The county election officer is the county clerk, the county elections administrator, or the county tax assessor-collector, depending on the actions of the county commissioners court. (Secs. 31.031, 31.071, 31.091). The county voter registrar is the county clerk, the county elections administrator, or the county tax assessor-collector, depending on the actions of the county commissioners court. (Secs. 12.001, 12.031, 31.031, 31.071).

Any references to the Texas Administrative Code are cited to the relevant section of the "T.A.C."

3. Note on Web Posting Requirements

Please see our Web Posting Advisory, Tex. Sec’y of State Election Advisory No. 2019-19, for more details on web posting requirements; however, the requirements are summarized below.

As of January 1, 2020, each county *shall maintain* a website. (Sec. 26.16(a), Tax Code).

A political subdivision with the authority to impose a tax that maintained a publicly accessible website at any time on or after January 1, 2019, and that is not subject to Section 2051.202 of the Government Code must post the following items on the entity’s Internet website (Secs. 2051.201, 2051.202, Government Code). See Internet Posting Requirements for Political Subdivisions (PDF):

1. The political subdivision’s contact information, including a mailing address, telephone number, and e-mail address;
2. Each elected officer of the political subdivision;
3. The date and location of the next election for officers of the political subdivision;
4. The requirements and deadline for filing for candidacy of each elected office of the political subdivision, which shall be continuously posted for at least one year before the election day for the office;
5. Each notice of a meeting of the political subdivision’s governing body under Subchapter C, Chapter 551 of the Government Code; and
6. Each record of a meeting of the political subdivision’s governing body under Section 551.021 of the Government Code. (Sec. 2051.201, Government Code).

Our office recommends consulting with your political subdivision’s local counsel regarding the particular posting requirements under Subdivisions (5) and (6) referenced above. Please note, the requirements for posting notice of meetings and record of meetings of the political subdivision’s governing body do not apply to:

1. A county with a population of less than 10,000;
2. A municipality with a population of less than 5,000 located in a county with a population of less than 25,000; or
3. A school district with a population of less than 5,000 in the district's boundaries and located in a county with a population of less than 25,000.

NOTE - Section 2051.202 of the Government Code requires a special purpose district with certain financial and population characteristics to post specific information on an Internet website. “Special purpose district” excludes from the term a municipality, county, junior college district, independent school district, groundwater conservation district, river authority, or political subdivision with statewide jurisdiction. (Sec. 2051.202, Government Code).

NOTE - NEW LAW: SB 477 amended Section 63.0015 of the Code, effective June 18, 2023, to require that an election officer post in an accessible manner on the county clerk’s/election

administrator's internet website all procedures and accommodations available for voters with disabilities. Tex. Sec'y of State Election Advisory No. 2023-14.

During the 21 days before the election, a debt obligation order under Section 3.009 must be posted on the political subdivision's Internet website, prominently and together with the notice of the election, a copy of the sample ballot, and the contents of the proposition, if the political subdivision maintains an Internet website. (Sec. 4.003(f)).

NOTE - Per Section 4.009 of the Code, not later than the 21st day before election day, a county that holds an election or provides election services for an election must post certain information related to their upcoming elections. A city or independent school district that holds an election and maintains an Internet website must also post this same election information on their website even if the county is also posting this data.

- The date of the election;
- The location of each polling place;
- Each candidate for an elected office on the ballot; and
- Each measure on the ballot. (Sec. 4.009)

NOTE - Section 65.016 of the Code requires a county that holds an election or provides election services for an election for a public entity must post certain information on their website. A city or independent school district that holds an election and maintains an Internet website must also post certain information on their website related to election results, even if the county is also posting such information. Information should be posted **as soon as practicable after the election** and must be accessible without having to make more than two selections or view more than two network locations after accessing the home page of the county, city or school district, whichever is applicable. Required information on the websites must include:

- the results of each election;
- the total number of votes cast;
- the total number of votes cast for each candidate or for or against each measure;
- the total number of votes cast by personal appearance on election day;
- the total number of votes cast by personal appearance or mail during the early voting period; and
- the total number of counted and uncounted provisional ballots cast. (Sec. 65.016).

We recommend that election results information remain posted on the entity's main page (or within two clicks of the main page) at least until the next election, and that the information continues to be available for the full 22-month retention period for election records. Entities may choose to make older election results information available on their website.

NOTE - NEW LAW: HB 2800 (2023, R.S.) amended Section 51.002 of the Code, effective September 1, 2023, to require that a notice of a meeting of the county election board be posted

not later than 48 hours before each meeting of the county election board. The county clerk/elections administrator shall post notice of the meeting on the county's website, if the county maintains a website.

4. May Uniform Date (Even-Numbered Years)

With few exceptions, counties are not authorized to hold an election ordered by county authority on the May uniform election date in an even-numbered year. A county elections administrator may refuse to provide election services by contract for an election that is held on the May uniform election date in an even-numbered year. (Sec. 41.001(d)).

5. Required Use of County Polling Places

Political Subdivisions other than Counties: Political subdivisions are not required to use county election precincts and polling places for elections held on the May uniform date. The governing body of a political subdivision other than a county shall establish the election precincts for elections ordered by an authority of the political subdivision and follow the requirements of Sections 42.061 and 42.0615.

6. Notice of Candidate Filing Periods

The authority with whom an application for a place on the ballot is filed must post a Notice of Deadline to File Applications for Place on the Ballot (PDF), listing the filing period dates in a building in which the authority maintains an office. The notice must be posted not later than the 30th day **before** the first day to file. (Sec. 141.040). If you order a special election to fill a vacancy, the order must include the filing deadline; we recommend posting the notice of the filing period as soon as practicable after a special election is ordered. Note that an application for a place on the ballot for a special election may not be filed before the election is ordered.

NOTE - The authority with whom an application for a place on the ballot is filed **MUST** designate an e-mail address in the notice required by Section 141.040 of the Code for the purpose of filing an application for a place on the ballot. (Sec. 141.040).

Most elective offices require that a candidate be a registered voter of the territory that the office is elected from as of the filing deadline or as of other statutory deadlines. (Sec. 141.001). For more information on the candidate voter registration requirement, see Voter Registration Requirements for Candidates.

7. Joint Election Requirement for School Districts

School districts conducting trustee elections must have joint polling places on election day with either:

1. a city holding an election on the uniform election day (located wholly or partly within the school district's boundaries);
2. a public junior college district if it is having an election for members of its governing board in which the school district is wholly or partly located;
3. in limited circumstances, a hospital district; or
4. the county on the November uniform election day in even-numbered years.

For purposes of this calendar, we will continue to use separate subheads for cities and school districts when their rules are different. However, many entities will be working out joint election agreements. (Sec. 11.0581, Texas Education Code; Sec. 271.002).

NOTE – At minimum, a school district needs to share polling places with a city or public junior college district conducting an election on the uniform election day. Sharing polling places is sufficient to meet the joint election requirement

8. Joint Elections Generally

Many entities will have joint elections for the May 4, 2024 election. Note that the entries in this calendar are generally written in terms of elections held individually rather than jointly.

Depending on the plan, different entities may choose not to hold early voting together and to do things separately. Not all joint election plans are alike. With a few exceptions, we do not discuss the impact of coordinating rules for a joint election, as we think this would make the calendar longer and confusing. We encourage joint election partners to read through the entire calendar, taking note of the rules affecting the partner entities, and to address the differences within the agreement itself. If you have questions about how different rules apply to a particular joint election plan, please contact our office by phone or email.

9. Notice of Elections

Political subdivisions other than cities and school districts may have specific statutory notice requirements. In the absence of specific statutory requirements, such political subdivisions must post a notice on or before the 21st day before the election. (Sec. 4.003(b)). For the Saturday, May 4, 2024 election, this notice must be posted on or before Saturday, April 13, 2024. (Secs. 1.006, 4.003(b)). The general rule is that, additionally, notice must be given using one of the following methods:

1. By posting a notice in each election precinct in which the election is to be held on or before the 21st day before the election, Saturday, April 13, 2024. (Sec. 4.003(a)(2)).
2. By publishing the notice at least once between the 30th day and the 10th day before the election, Thursday, April 4, 2024–Wednesday, April 24, 2024. (Sec. 4.003(a)(1)).

3. By mailing a copy of the notice to each registered voter of the territory covered by the election, not later than the 10th day before election day, Wednesday, April 24, 2024. (Sec. 4.003(a)(3)).

Cities and School Districts: Cities and school districts are required to publish their notice in a newspaper in accordance with Section 4.003(a)(1) (See number 2 above) and may also give any additional notice. (Sec. 4.003(c)). Counties, school districts, and cities must also publish notice on the governmental bulletin board used for posting notice of public meetings, no later than April 13, 2024. (Sec. 4.003(b)).

NOTE - In addition to any other notice given, notice of an election by an authority of a city or school district must be given by the method prescribed by Section 4.003(a)(1) of the Code. (Sec. 4.003(c)).

Note for All Political Subdivisions: The governing body of a political subdivision must deliver notice of the election to the county election officer and voter registrar of each county in which the political subdivision is located not later than the 60th day before election day, Tuesday, March 5, 2024. (Sec. 4.008).

Note for Counties: Section 4.003 requires that counties post on the county website the notice and list of polling locations of any political subdivision that delivers their notice to the county under Section 4.008. This is regardless of whether the county is contracting with the entity. (Secs. 1.021, 4.004, 85.007) See Note for All Political Subdivisions above.

This notice must include:

1. The type and date of the election
2. 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;**
3. The location of each polling place, **including the street address, room number, and building name;**
4. The hours the polls will be open;
5. The regular dates and hours for early voting by personal appearance;
6. The dates and hours of any Saturday or Sunday early voting;
7. The early voting clerk's official mailing address or street address at which the clerk may receive delivery by common or contract carrier, if different, phone number, e-mail address, and the Internet website, if the early voting clerk has an Internet website;
8. We **recommend** that the information regarding branch early voting locations be included as part of your notice; and
9. Any other information required by law.

NOTE - Section 4.004 of the Code requires the notice of election to include the Internet website of the authority conducting the election. (Sec. 4.004(a)).

- **NOTE** - The notice of a special election must also state each office to be filled or the propositions stating each measure to be voted on. (Sec. 4.004(b)). See [Notice of Special Election \(Cities, Schools, and Other Political Subdivisions \(PDF\)\)](#).

NOTE - Section 83.010 of the Code requires an election order and the election notice to state the early voting clerk's official mailing address or street address at which the clerk may receive delivery by common or contract carrier, if different, phone number, e-mail address, and the Internet website, if the early voting clerk has an Internet website. (Sec. 83.010).

NOTE - Section 85.004 of the Code provides that an election order and election notice must designate which location is the main early voting polling place. (Sec. 85.004).

NOTE – ANY notice of polling locations must include more detailed information regarding the polling locations including: the polling location's street address, any applicable suite or room number, and any applicable building name. (Sec. 1.021).

Note regarding branch early voting locations: The branch early voting locations are no longer a required part of your notice under the Texas Election Code. (Sec. 4.004).

The following forms may be used:

- [Notice of General Election for Cities \(PDF\)](#)
- [Notice of General Election for Other Political Subdivisions \(Including Schools\) \(PDF\)](#)
- [Notice of Special Election \(Cities, Schools, and Other Political Subdivisions \(PDF\)\)](#)

All Political Subdivisions: The election notice shall be posted on the political subdivision's website, if the political subdivision maintains a website. For political subdivisions other than counties, the original order and notice should include all days and hours for early voting by personal appearance, including voting on **ANY** Saturday or Sunday. (Secs. 85.006, 85.007).

Note for counties: The election notice must be subsequently amended to include voting ordered for **ANY** Saturday or Sunday and must be posted on the political subdivision's website, if maintained.

Notice for Bond Elections: Entities holding bond elections must provide additional notice per Section 4.003(f). A debt obligation order under Section 3.009 must be posted:

1. On election day and during early voting by personal appearance, in a prominent location at each polling place;

2. Not later than the 21st day before the election, in three public places in the boundaries of the political subdivision holding the election; and
3. During the 21 days before the election, on the political subdivision's Internet website, prominently and together with the notice of the election, a copy of the sample ballot, and the contents of the proposition, if the political subdivision maintains an Internet website.

The same requirements apply to the voter information document required by Government Code Section 1251.052(b) (see law for full contents of notice). The requirement referenced in Section 1251.052(b) of the Government Code applies to a political subdivision with at least 250 registered voters on the date the governing body of the political subdivision adopts the debt obligation election order.

Home-Rule Charter Cities: Home-rule cities MUST also give notice as provided in their charters.

Notice for Political Subdivisions other than Counties, School Districts, and Cities: Political subdivisions other than counties, school districts, and cities may have specific statutory election notice requirements either in their enabling acts or in the code governing them (such as the Water Code). In the absence of specific statutory requirements, such political subdivisions may post a copy of the notice on or before the 21st day before the election (i.e., Saturday, April 13, 2024) on the bulletin board used for posting notices of the meetings of the governing body of the political subdivision. (Sec. 4.003(b)).

Notice of Nearest Polling Places in Countywide Election: EACH countywide polling place must post a notice, at that location, of the four nearest locations, by driving distance. (Sec. 43.007(o)). [Notice of Four Nearest Countywide Polling Place Locations \(PDF\)](#)

10. Regular Days and Hours for Voting

Political Subdivisions: For all elections in which the county is **NOT** the early voting clerk, early voting must be conducted at the main early voting location on each weekday that is not a legal state holiday for a period of at least **nine (9) hours** unless the territory has fewer than 1,000 registered voters. For territories with less than 1,000 registered voters, voting shall be conducted for at least **four (4) hours** each day. Voting may not be conducted earlier than 6:00 AM or later than 10:00 PM. (Sec. 85.005(b)).

Note for Cities: Section 85.005(d) no longer requires cities to choose two weekdays for the main early voting polling place location to be open for at least 12 hours during the regular early voting period. (Sec. 85.005). [Tex. Sec'y of State Election Advisory No. 2023-10.](#)

11. Extended Early Voting Hours and Branch Locations

Voting on **ANY** Saturday or Sunday must be included in the order and notice of election. The order and notice must include the dates and hours of Saturday or Sunday voting. (Secs. 85.006,

85.007). The political subdivision must have early voting on Saturday or Sunday, *if a written request (PDF)* is received from at least 15 registered voters of the political subdivision prior to the election being ordered. (Sec. 85.006(d)). The election notice must be posted on the political subdivision's website, if the political subdivision maintains a website. (Sec. 85.007).

Note for Cities: In an election in which a city secretary is the early voting clerk, voting on any Saturday or Sunday **must** be included in the order and notice of election. City secretaries no longer have the authority to order Saturday or Sunday early voting 72 hours immediately preceding the first hour that voting will be conducted. However, the city **must** have early voting on Saturday or Sunday, *if a written request (PDF)* is received from at least 15 registered voters of the political subdivision prior to the election being ordered. (Secs. 85.006, 85.007).

12. Temporary Branch Locations

NOTE - Section 85.068 of the Code provides that if the early voting clerk is a county election officer or city secretary, the clerk must post notice (PDF) for each election stating any dates and the hours that voting on Saturday or Sunday will be conducted under Section 85.064(d). (Sec. 85.068).

NOTE - NEW LAW: HB 1217 (2023, R.S) amended Section 85.064 and repealed Section 85.065 of the Code, effective September 1, 2023. As a result, the rules regarding the days and hours of early voting by personal appearance at temporary branch locations are the same for **ALL** counties, regardless of their population. As amended, Section 85.064 requires early voting by personal appearance at each temporary branch polling places to be conducted on the days that early voting is required to be conducted at the main early voting polling place under Section 85.005 and **MUST** remain open for at least eight (8) hours each day; or for three (3) hours each day if the **city or county clerk/elections administrator does not serve** as the early voting clerk for the territory holding the election and the territory has fewer than 1,000 registered voters. For certain political subdivisions, this will require your temporary branch locations to be open on every weekday of the early voting period, for at least eight hours on each of those days.

NOTE for political subdivisions other than city or county – If the city or county election officer does not serve as the early voting clerk for the territory holding the election and the territory has fewer than 1,000 registered voters, the temporary branch polling place(s) must be open for at least three hours each day that voting is required to be conducted at the main early voting polling place under Section 85.005 of the Code. (Secs. 85.005, 85.064).

NOTE - There is no petition process to require weekend early voting at temporary branch locations. However, the authority authorized under Section 85.006 to order early voting on a Saturday or Sunday may also order, in the manner prescribed by that section, early voting to be conducted on a Saturday or Sunday at any one or more of the temporary branch polling places.

NOTE – Section 85.062 of the Code provides that the location of temporary branch polling places in an election in which countywide polling places are used must be determined with the same methodology that is used for the location of countywide polling places.

13. Notice of Previous Polling Place

If a different polling place is being used from the previous election held by the same authority, a [Notice of Change to Polling Place \(PDF\)](#) must be posted at the entrance of the previous polling place informing voters of the current polling place location, if possible. (Sec. 43.062).

14. Testing Tabulating and Electronic Voting Equipment

Ballot Testing:

Once all candidate filing deadlines have passed, we recommend that you proof and test your ballot programming as soon as possible. Early testing will allow adequate time to locate any errors and make any necessary corrections in ballot programming. **We also strongly suggest that you have candidates proof their names and offices before finalizing the ballot to avoid the necessity for last minute ballot corrections.**

Logic and Accuracy Test:

We recommend establishing a date to perform the test of your electronic voting equipment (L&A, or Logic and Accuracy Test) as soon as possible. We recommend that this test be performed on a date that allows time to correct programming and retest, if necessary. A [notice](#) of this test must be published by the custodian of the electronic voting equipment at least 48 hours before the date of the test. (Sec. 129.023; [Tex. Sec’y of State Election Advisory No. 2019-23](#)). The L&A test must be conducted not later than 48 hours before voting begins on a voting system. (Sec. 129.023).

NOTE - If logic and accuracy testing is being conducted for an election in which a county election board has been established under Section 51.002 of the Texas Election Code, the general custodian of election records shall notify each member of the board of the test at least 48 hours before the date of the test. If the county election board chooses to witness the test, each member shall sign the statement required for logic and accuracy testing. (Sec. 129.023(b-2)).

NOTE- The general custodian of election records is required to demonstrate, using a representative sample of voting system equipment, that the source code of the equipment has not been altered. (Sec. 129.023(c-1)). See [Tex. Sec’y of State Election Advisory No. 2019-23](#) and [Tex. Sec’y of State Election Advisory No. 2022-30](#) for more information on hash validation and voting system procedures.

Testing Tabulating Equipment:

The automatic tabulating equipment used for counting ballots at a central counting station must be tested three times for each election. (Ch. 127, Subch. D). We recommend you test the equipment as soon as possible; early testing will allow adequate time to locate any errors and make any necessary corrections in programming. However, the first test **must be conducted at least 48 hours before** the automatic tabulating equipment is used to count ballots voted in the election. The second test shall be conducted immediately before the counting of ballots with the equipment begins. The third test must be conducted immediately after the counting of ballots with the equipment is completed. Please note that the custodian of the automatic tabulating equipment must publish notice of the date, hour, and place of the first test in a newspaper at least 48 hours before the date of the test. (Sec. 127.096). The electronic files created from the L&A testing are what must be used for testing the tabulating equipment. (Tex. Sec’y of State Election Advisory No. 2019-23).

Precinct tabulators must also be tested in accordance with the procedures set forth in Chapter 127, Subchapter D of the Texas Election Code to the extent those procedures can be made applicable. (Sec. 127.152; Tex. Sec’y of State Election Advisory No. 2019-23).

Our recommendation is that both L&A testing and testing of the automatic tabulating equipment take place prior to ballots by mail being sent out. However, should there be a reason to delay testing, please be advised that L&A testing must be conducted at least 48 hours before voting begins on a voting system. This means that L&A testing should be completed before early voting and possibly, before election day, if your election day system is different than your early voting system. Additionally, the automatic tabulating equipment may not be used to count ballots voted in the election until a test is successful. (See Chapters 127 and 129, Election Code).

For more information on testing tabulating equipment used at the central counting station, please see Chapter 127, Subchapter D of the Election Code and Tex. Sec’y of State Election Advisory No. 2019-23. See Chapter 129, Subchapter B of the Election Code and Tex. Sec’y of State Election Advisory No. 2019-23 **for other types of testing such as functionality tests, logic and accuracy tests, tests for central accumulators, etc.** Please see Tex. Sec’y of State Election Advisory No. 2019-23 for additional information regarding voting system equipment access, security and preservation, and chain of custody.

15. Accepting Voters with Certain Disabilities and Curbside Voting

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. “Mobility problem that substantially impairs a person’s ability to ambulate” has the meaning assigned by Section 681.001, Transportation Code. A person assisting an individual with a mobility problem may also, at the individual's request, be

given voting order priority. Notice of Voting Order Priority (PDF) given to persons with a mobility problem that substantially impairs a person's ability to ambulate **shall** be posted:

1. at each entrance to the polling place where it can be read by persons waiting to vote;
2. on the website of the Secretary of State; **and**
3. on each website relating to elections maintained by a county. (Sec. 63.0015).

NOTE – NEW LAW: SB 477 (2023, R.S.) amended the wording of the voting order priority notice required under Section 63.0015 so that it **must** read as follows:

“Pursuant to Section 63.0015, Election Code, an election officer shall give voting order priority to individuals with a mobility problem that substantially impairs the person's ability to move around. A person assisting an individual with a mobility problem may also, at the individual's request, be given voting order priority. Disabilities and conditions that may qualify you for voting order priority include paralysis, lung disease, the use of portable oxygen, cardiac deficiency, severe limitation in the ability to walk due to arthritic, neurological, or orthopedic condition, wheelchair confinement, arthritis, foot disorder, the inability to walk 200 feet without stopping to rest, or use of a brace, cane, crutch, or other assistive device.”

The **recommended** time to include the voting order priority notice on a county website is when the Notice of Election is also posted on the website. (Sec. 85.007(d)). See Note 9 regarding Notice of Elections.

NOTE - NEW LAW: SB 477 (2023, R.S.) amended Section 63.0015 of the Code, effective June 18, 2023, to require that an election officer post in an accessible manner on the county clerk's/elections administrator's Internet website all procedures and accommodations available for voters with disabilities.

NOTE - NEW LAW: SB 477 (2023, R.S.) amended Section 64.009 of the Code, effective June 18, 2023, to require that at each polling place an area for parking not smaller than the size of one parking space be reserved for use by a voter who is unable to enter the polling place. The area must be clearly marked indicating the space is reserved and 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. As an alternative to displaying a telephone number, a parking space may comply with the requirements of Section 64.009 by providing the voter with a **button or intercom** that the voter may use to request assistance from an election officer. Tex. Sec'y of State Election Advisory No. 2023-14; Form 7-43 (Curbside Voting Sign – Phone or Text); Form 7-44 (Curbside Voting Sign – Button or Intercom).

NOTE - A qualified individual with a disability may request a reasonable accommodation or modification to any election standard, practice, or procedure mandated by law or rule that the individual is entitled to request under federal or state law. (Sec. 1.022).

Cities, Schools, and Other Political Subdivisions: It is ***strongly recommended*** that the notice regarding accepting voters with certain disabilities also be posted on the subdivision's website, if one is maintained by the political subdivision.

If a voter is physically unable to enter the polling place without assistance or likelihood of injury to his or her health, an election officer shall deliver a ballot or voting machine to the voter at the entrance or curb of the polling place on the voter's request. On the voter's request, a person accompanying the voter to the polling place must be permitted to select the voter's ballot and to deposit the ballot in the ballot box after the voter has voted. (Sec. 64.009).

NOTE - A person who **simultaneously** assists seven or more curbside voters by providing the voters transportation to the polling place must complete and sign a form, provided by an election officer, that contains the person's name and address and whether the person is providing assistance solely under Section 64.009 or if the person is providing additional assistance to the voter under Chapter 64, Subchapter B. Completed forms shall be delivered to the Secretary of State as soon as practicable. The Secretary of State shall retain a form delivered under Section 64.009 for the period for preserving the precinct election records and shall make the form available to the attorney general for inspection upon request. This provision does not apply if the person assisting is related to each voter within the second degree by affinity (marriage) or the third degree by consanguinity (blood).

16. Law Regarding Faxed or Emailed ABBMs and Faxed FPCAs

If an ABBM is faxed or emailed or if an FPCA is faxed, then the applicant **must** submit the ORIGINAL application BY MAIL to the early voting clerk so that the early voting clerk **receives the original no later than the 4th business day after receiving the emailed or faxed ABBM or faxed FPCA**. If the early voting clerk does not receive the original ABBM or FPCA by that deadline, then the emailed or faxed ABBM or faxed FPCA will be considered incomplete, and the early voting clerk may NOT send the applicant a ballot. The early voting clerk should retain a copy of the FPCA for their own records, but should send the FPCA submitted by the voter to the voter registrar for registration purposes. (Sec. 84.007).

If a voter faxes or emails the ABBM or faxes the FPCA, the date the early voting clerk receives the fax or email is considered the date of submission. Essentially, the faxed or emailed form serves as a place-holder for the voter. Therefore, a voter whose application was faxed or emailed by the 11th day before election day (the deadline), and whose original application is received on or before the 4th business day after that date, would still be entitled to receive a ballot for the election (if otherwise eligible). The early voting clerk will have to hold the faxed or emailed ABBM or faxed FPCA until the clerk receives the original, and would only send the voter a ballot if the original is received by the 4th business day after the faxed or emailed ABBM or faxed FPCA was received. See Tex. Sec'y of State Election Advisory No. 2018-02.

The requirement to mail the original application does not apply to an **emailed** FPCA, but does apply to a faxed FPCA.

NOTE – A person is eligible for an FPCA if the person is qualified to vote in this state or, if not registered to vote in this state, would be qualified if registered and the person is:

- a member of the armed forces of the United States, or the spouse or a dependent of a member;
- a member of the merchant marine of the United States, or the spouse or a dependent of a member;
- a member of the Texas National Guard or the National Guard of another state or a member of a reserve component of the armed forces of the United States serving on active duty under an order of the president of the United States; or activated on state orders, or the spouse or dependent of a member; or
- A United States citizen that is temporarily living outside of the territorial limits of the United States and the District of Columbia. (Sec. 101.001).

NOTE - An FPCA may be submitted by in-person delivery by the voter in accordance with Section 84.008 of the Code or by common or contract carrier. Further, an application is considered submitted in the following calendar year if: 1) the applicant is eligible to vote in an election occurring in January or February of the next calendar year; and 2) the application is submitted in the last 60 days of a calendar year but not earlier than the 60th day before the date of the January or February election. (Sec. 101.052).

NOTE - An applicant for a ballot to be voted by mail may submit the application by delivering it in person to the early voting clerk if the application is submitted not later than the deadline provided by Section 84.007(c) of the Code. This means that voters may personally deliver their ABBM or FPCA to the early voting clerk not later than the close of regular business in the early voting clerk's office or 12 noon, whichever is later, on the 11th day before election day (unless that day is a Saturday, Sunday, or legal state or national holiday, in which case the last day is the first preceding regular business day). (Sec. 84.008).

17. Opportunity to Correct Defect(s) with Application for Ballot by Mail and Carrier Envelope

NOTE - NEW LAW: SB 1599 (2023, R.S.), effective September 1, 2023, added new corrective action provisions related to the ballot by mail process as it pertains to the early voting clerk's review of an Application for Ballot by Mail and the signature verification committee/early voting ballot board's review of the carrier envelope containing a voter's ballot. Please see below for information regarding these respective changes:

Early Voting Clerk Actions for a Defective Application for Ballot by Mail: The change in law made by SB 1599 applies only to an application for ballot by mail submitted on or after September 1, 2023. An application for ballot by mail submitted before September 1, 2023 is governed by the law in effect when the application was submitted.

SB 1599 amended Section 86.008(a) of the Code to provide that the section applies to a ballot to be voted by mail for which the applicant failed to comply with a requirement provided by Section 84.002 (contents of application), 84.0021 (contents of application for participant in the Attorney General Address Confidentiality Program), or 84.003(a) (signing application by witness) in a manner that would lead, if not corrected, to the rejection of the applicant's application. Not later than the second day after the early voting clerk discovers a defect(s) described by Section 86.008(a) referenced above, the early voting clerk shall: (1) determine if it would be possible for the applicant to correct the defect and return an application form by mail by the 11th day before election day, as applicable; and (2) if the clerk determines it would be possible to correct the defect and return an application form before the deadline, the early voting clerk must either return the defective application to the applicant or deliver an official application form to the applicant. The early voting clerk must include with the returned defective application or an application form delivered to the applicant a written notice containing: (1) a brief explanation of each defect in the noncomplying application; (2) a statement informing the voter that the voter is not entitled to vote an early voting ballot unless the application complies with all legal requirements; and (3) instructions for submitting the corrected application or second application.

If the early voting clerk determines that it would not be possible for the applicant to correct the defect and return an application form by mail by the 11th day before election day, the clerk may notify the applicant by telephone or email and provide the applicant a brief explanation of each defect in the application, a statement informing the voter that the voter is not entitled to vote an early voting ballot unless the application complies with all legal requirements, and instructions for submitting the corrected application or second application. The early voting clerk must also inform the applicant that the applicant may come to the early voting clerk's office by the 11th day before election day and correct the defect in person.

In addition, a voter must be provided notice about the ability to correct certain defects on the application using the Secretary of State's online Ballot by Mail Tracker and, if possible, permit the applicant to correct such defects using the online tracker. Please note that the Secretary of State's Ballot by Mail Tracker is available at www.votetexas.gov. (Secs. 86.008(c-1), 86.015).

NOTE - Although Section 86.008 of the Code was amended to allow the early voting clerk to return a defective application to the voter, the Secretary of State recommends against doing so. Ultimately, if the early voting clerk returns a defective application to the voter, it is strongly recommended that the clerk return a **copy** of the original application to the voter and **NOT** the original application.

Early Voting Clerk Actions for a Defective Carrier Envelope: Section 86.011(d) of the Code provides a procedure by which a voter can correct certain defects in the carrier envelope containing their voted ballot. If an early voting clerk receives a timely carrier envelope that does not comply with the applicable requirements of the Code, the clerk may deliver the carrier envelope in person or by mail to the voter so that the voter may correct the defect. Additionally, the early voting clerk may notify the voter of the defect by phone and advise the voter that they may come to the early voting clerk's office to correct the defect or cancel their ABBM and vote in person. The clerk may utilize this provision for defects such as a missing signature by the voter, a partially completed witness or assistant box (if applicable), missing or incorrect personal identification information, or a ballot that is not returned in a carrier envelope. If an early voting clerk chooses to notify voters of defects in their carrier envelope under Section 86.011(d), the clerk must apply these procedures uniformly to all voters in similar circumstances. Additionally, the Secretary of State recommends keeping a log to track the ballots mailed to voters and the ballots in possession of the early voting clerk before ballots are delivered to the signature verification committee or early voting ballot board. If the early voting clerk notifies a voter of a defect in their carrier envelope by mail, the clerk should include a letter explaining the actions that the voter needs to take to correct and return the carrier envelope.

Signature Verification Committee (if appointed) Actions for a Defective Carrier Envelope: SB 1599 amended Section 87.0271 of the Code to provide that not later than the second day after the signature verification committee discovers a defect(s) in a carrier envelope as described by Section 87.0271(a) of the Code and before the committee decides whether to accept or reject a timely delivered ballot under Section 87.027, the committee must send the voter a notice of the defect and a corrective action form developed under Section 87.0271(c-1) by mail or by common or contract carrier. The signature verification committee must include with the notice delivered to the voter: (1) a brief explanation of each defect in the noncomplying ballot; and (2) notice that the voter may either cancel the voter's application to vote by mail in the manner described by Section 84.032, correct the defect in the voter's ballot by submitting a corrective action form by mail or by common or contract carrier, make the correction using the Secretary of State's online Ballot by Mail Tracker, if possible, or come to the early voting clerk's office in person not later than the sixth day after election day to correct the defect(s).

If the signature verification committee determines that it would not be possible for the voter to receive the notice of defect within a reasonable time to correct the defect, the committee may notify the voter of the defect by telephone or e-mail and inform the voter that the voter may request to have the voter's application to vote by mail canceled in the manner described by Section 84.032, submit a corrective action form by mail or by common or contract carrier, make the correction using the Secretary of State's online Ballot by Mail Tracker, if possible, or come to the early voting clerk's office in person not later than the sixth day after election day to correct the defect. In addition to sending the voter a notice of the defect or notifying the voter of the defect by telephone or e-mail, the signature verification committee must permit the voter to correct a defect using the Secretary of State's online Ballot by Mail Tracker, if possible. Please note that the Secretary of State's Ballot by Mail Tracker is available at www.votetexas.gov.

Early Voting Ballot Board Actions for a Defective Carrier Envelope: SB 1599 amended Section 87.0411 of the Code to provide that not later than the second day after the early voting ballot board discovers a defect(s) in a carrier envelope as described by Section 87.0411(a) of the Code and before the board decides whether to accept or reject a timely delivered ballot under Section 87.041, the board must send the voter a notice of the defect and a corrective action form developed under Section 87.0411(c-1) by mail or by common or contract carrier. The early voting ballot board must include with the notice delivered to the voter: (1) a brief explanation of each defect in the noncomplying ballot; and (2) notice that the voter may either cancel the voter's application to vote by mail in the manner described by Section 84.032, correct the defect in the voter's ballot by submitting a corrective action form by mail or by common or contract carrier, make the correction using the Secretary of State's online Ballot by Mail Tracker, if possible, or come to the early voting clerk's office in person not later than the sixth day after election day to correct the defect(s).

If the early voting ballot board determines that it would not be possible for the voter to receive the notice of defect within a reasonable time to correct the defect, the board may notify the voter of the defect by telephone or e-mail and inform the voter that the voter may request to have the voter's application to vote by mail canceled in the manner described by Section 84.032, submit a corrective action form by mail or by common or contract carrier, make the correction using the Secretary of State's online Ballot by Mail Tracker, if possible, or come to the early voting clerk's office in person not later than the sixth day after election day to correct the defect. In addition to sending the voter a notice of the defect or notifying the voter of the defect by telephone or e-mail, the early voting ballot board must permit the voter to correct a defect using the Secretary of State's online Ballot by Mail Tracker, if possible. Please note that the Secretary of State's Ballot by Mail Tracker is available at www.votetexas.gov.

Delivery of Ballots Voted by Mail to the Early Voting Ballot Board: SB 1599 amended Section 87.0222 of the Code to provide that not later than the ninth day before election day, the jacket envelopes containing early voting ballots voted by mail **MUST** be delivered to the early voting ballot board. **This requirement applies regardless of the county's population size.** Any jacket envelopes of early voting ballots voted by mail returned after delivery of the ballots to the early voting ballot board may be delivered to the presiding judge of the early voting ballot board between the end of the ninth day before election day and the closing of the polls on election day, or as soon after closing as practicable, at the time or times specified by the presiding judge. The early voting clerk shall post notice of each delivery of balloting materials that is to be made before the time for opening the polls on election day. The notice must be posted at the main early voting polling place continuously for at least 24 hours immediately preceding the delivery.

Please note that the mail ballots may not be counted until (i) the polls open on election day; or (ii) in an election conducted by an authority of a county with a population of 100,000 or more **or** entities that are having joint elections with such a county or who are conducting their election

with such a county through a contract for election services, the end of the period for early voting in person. (Secs. 87.0222, 87.0241).

NOTE: Results may not be released until the polls close on election day.

For more information on the Opportunity to Correct Defect(s) with Application for Ballot by Mail and Carrier Envelope, see Tex. Sec’y of State Election Advisory No. 2023-13.

18. Reconciliation Forms

The presiding judge of the central counting station **must** prepare a preliminary reconciliation form (PDF) on election night and a final reconciliation form (PDF) after the canvass. The reconciliation form requirement only applies to entities that conducted voting in such a manner that they had a central counting station. The reconciliation forms must be posted on the county website with election returns and results after they are completed and signed. This posting requirement applies regardless of whether a local entity is contracting with the county for election services. We recommend that local entities post the reconciliation form on their website, if the entity maintains a website. We further recommend that the reconciliation forms remain posted at least until the next election, and that the forms are available for the full 22-month retention period for election records. An entity may choose to make older reconciliation forms available as part of historical results on its website.

19. Online Training Materials

NOTE - NEW LAW: HB 1632 (2023, R.S.) amended Chapters 32, 87, and 127 of the Code, effective September 1, 2023, to require the Secretary of State to develop materials for a standardized curriculum for online training in election law and procedure, including a published handbook, for election judges and members of an early voting ballot board, signature verification committee, and central counting station. The training must be made available on the Secretary of State’s Internet website, free of charge, and require the passage of an examination at the end of the program.

20. Services Performable Under Contract and Mandatory Office Hours

Section 31.094 of the Code provides that an election services contract may provide for the county election officer to perform or to supervise the performance of any or all of the corresponding duties and functions that the officer performs in connection with a countywide election ordered by a county authority.

The county election officer may assign deputies to perform any of the contracted services. (Sec. 31.095). **However, an election services contract may not change a political subdivision’s requirement to maintain office hours under Section 31.122 of the Code.** (Sec. 31.096).

21. Early Voting Rosters

The early voting clerk shall maintain for each election a roster listing each person who votes an early voting ballot by personal appearance and a roster listing each person to whom an early voting ballot to be voted by mail is sent. The list must include, at minimum, the name, VUID, and precinct number for each voter. **Each roster shall be updated daily.** Information on the roster for a person who votes an early voting ballot by personal appearance shall be made available for public inspection not later than 11:00 a.m. on the day after the date the information is entered on the roster. Information on the roster for a person who votes an early voting ballot by mail shall be made available for public inspection not later than 11:00 a.m. on the day following the day the early voting clerk receives a ballot voted by mail. The clerk shall preserve each roster after the election for the period for preserving the precinct election records. (Sec. 87.121).

For all elections in which the county clerk/elections administrator is the early voting clerk (including by contract and/or joint election agreement), the information on the early voting rosters (in-person and by-mail voters) must be posted on the county's website. Section 87.121 of the Code does not state a specific time by which the early voting rosters must be posted online; our office recommends that the rosters be posted by 11:00 a.m. each day.

For all elections where the county clerk/elections administrator is not the early voting clerk by contract, by law, or due to a joint election agreement, the information on the early voting roster (in-person and by-mail voters) must be posted on the local political subdivision's website. If the authority which ordered the election does not maintain a website, then the information on the roster must be posted on the bulletin board used for posting notice of meetings of the governing body of the authority. Again, Section 87.121 of the Code does not state a specific time by which the early voting rosters must be posted online, but we recommend posting the rosters by 11:00 a.m. each day.

If an early voting clerk fails to post their early voting rosters in accordance with Section 87.121, a person registered to vote in the county where the early voting clerk is conducting early voting may file a complaint with the Secretary of State regarding the early voting clerk's noncompliance. (Sec. 87.121(o)).

Note for local political subdivisions: The early voting clerk for each political subdivision is also responsible for posting or linking to the early voting roster, depending on whether or not the entity is contracting with the county.

- **If the entity is contracting with the county**, the early voting roster must be posted on the county's website and the entity should provide a link to that list on the entity's website.
- **If the entity is NOT contracting with the county**, the early voting roster must be posted on the entity's website.

22. Inspection of Voted Ballots and Cast Vote Records

NOTE - NEW LAW: HB 5180 (2023, R.S.) amended Section 1.012 of the Code, effective September 1, 2023, to provide that images of voted ballots, if maintained, and cast vote records shall be made available for public inspection beginning on the first day after the final canvass of an election is completed. The bill also provides that original voted ballots shall be made available for public inspection beginning on the 61st day after election day. The bill requires the general custodian of election records to adopt procedures to ensure the redaction of any personally identifiable information of the voter that is contained on the voted ballot, ballot images, or cast vote records before making them available for public inspection.

The bill does not amend Section 66.058 of the Election Code, which requires voted ballots to be preserved securely in a locked room in the locked ballot box for at least 60 days after the date of the election. Section 66.058 also provides that an unauthorized entry into the ballot box containing voted ballots or the failure to prevent an unauthorized entry into the ballot box constitutes a Class A misdemeanor. The Secretary of State interprets these provisions to prohibit the general custodian of election records from accessing the voted ballots during the initial 60-day period (except in the event of a recount or another authorized entry into the ballot box) and preclude the custodian from beginning to redact original voted ballots under Section 1.012(h) until after that 60-day period has elapsed.

Ballot images and cast vote records are also subject to the general preservation provisions in Section 66.058. However, HB 5180 provides a different deadline for making those specific records publicly available. Since ballot images and cast vote records are available for public inspection beginning on the first day after the final canvass, a county may begin the redaction process under Section 1.012(h) for ballot images and cast vote records as soon as practicable following the final canvass.

Our office recommends that the county elections office work closely with its county attorney and its public information division in ensuring that records have been properly redacted before being made publicly available. Please direct any questions about the procedures for responding to a public information request, including the timeframes for such responses, to the Office of the Attorney General via its Open Government Hotline, (877) OPEN TEX (673-6839).

Notes for June 15, 2024 Runoff Election (If Applicable)

While this Election Law Calendar addresses certain deadlines, it is highly recommended that your entity completes its election requirements as soon as possible due to the short timeframe between the May 4, 2024 Uniform Election Date and the June 15, 2024 Runoff Election Date.

1. Note on Ordering The Runoff Election and Notice of Election

Our office recommends ordering your runoff election and any extended weekday or weekend voting as soon as the final canvass has been completed due to the short timeframe between the

May 4, 2024 election and the June 15, 2024 runoff election. Additionally, if possible, we recommend that a local political subdivision issue the notice of election immediately after the runoff election is ordered.

Notice of a runoff election must be posted on the website of the political subdivision that ordered the election no later than the 15th day before election day, Friday, May 31, 2024. If the political subdivision does not maintain a website, the notice must be posted on the bulletin board used for posting notices of public meetings. (Sec. 2.026).

The general rule is that, additionally, notice must be given using one of the following methods:

1. By posting a notice in each election precinct in which the election is to be held on or before the 15th day before the election, Friday, May 31, 2024. (Secs. 2.026, 4.003(a)(2)).
2. By publishing the notice at least once between the 30th day and the 10th day before the election, Thursday, May 16, 2024 – Wednesday, June 5, 2024. (Sec. 4.003(a)(1)).
3. By mailing a copy of the notice to each registered voter of the territory covered by the election, not later than the 10th day before election day, Wednesday, June 5 2024. (Sec. 4.003(a)(3)).

Cities and School Districts: Cities and school districts are required to publish their notice in a newspaper in accordance with Section 4.003(a)(1) (See number 2 above) and may also give any additional notice. (Sec. 4.003(c)). If a county maintains a website, the county must post any notice of a runoff election provided to the county by a political subdivision conducting a runoff election in the county to the county’s website no later than the 15th day before election day, Friday, May 31, 2024. (Secs. 2.026, 4.003(b)). If the county does not maintain a website, school districts and cities must also post a copy of the notice on the governmental bulletin board used for posting notice of public meetings no later than the 15th day before election day, Friday, May 31, 2024.

NOTE - Section 4.003 requires that counties post on the county website the notice and list of polling locations of any political subdivision that delivers their notice to the county under Section 4.008. This is regardless of whether the county is contracting with the entity.

NOTE - Section 4.004 requires the notice of election to include the Internet website of the authority conducting the election.

NOTE - Section 83.010 requires an election order and the election notice to state the early voting clerk’s official mailing address or street address at which the clerk may receive delivery by common or contract carrier, if different, phone number, e-mail address, and the Internet website, if the early voting clerk has an Internet website. (Sec. 83.010).

2. Note on Testing and Ballot Programming

Due to the short timeframe between the canvass of the main election and the date of the runoff election, our office strongly recommends that your local political subdivision finalize the ballot programming and conduct your Public Logic & Accuracy testing as soon as possible after the main election has been canvassed and the runoff election has been ordered.

The Public Logic and Accuracy test must be completed no later than 48 hours before voting begins on a voting system used in the election. The last **business** day to conduct your public Logic and Accuracy testing is Friday, May 31, 2024. However, it is **strongly recommended** that such testing be completed as soon as possible after the ballot programming is finalized to allow time for corrections to programming, if necessary.

3. Note on Recounts

The deadline for submitting an expedited recount petition for the main election is 2 p.m. of the second day after the date of the local canvass. It is possible that the timing of the recount may impact ballot preparation for the scheduled runoff election. As such, it is strongly recommended that the entity complete the requested recount in a timely manner following the submission of a recount petition. (Secs. 212.083, 212.089).

If an expedited recount is requested for a main election that may result in a runoff election, the recount committee members must continue performing their duties on days that are not regular working days and during hours that are not regular working hours if necessary to complete the recount in time to avoid interfering with the orderly conduct of the scheduled runoff election. (Sec. 212.089).

Because the June 15, 2024 runoff election occurs soon after the May 4, 2024 election, we recommend canvassing the May election as soon as possible to allow adequate time for your entity to prepare for the June runoff election.

Calendar of Events

December

Monday, December 18, 2023 (30th day before Wednesday, January 17, 2024, first day to file an application for a place on the ballot)

Cities, Schools, and Other Political Subdivisions: Post [Notice of Deadline to File Applications for Place on the Ballot \(PDF\)](#) in a building in which the authority maintains an office. The notice must be posted not later than the 30th day before the first day to file. (Sec. 141.040; Sec. 49.113, Water Code). This notice must be posted in addition to the posting the requirements and deadline for filing for candidacy under Section 2051.201, Government Code. ([See Note 3](#)).

Water Districts: The notice must be posted at the district’s administrative office or at the public place established by the district under Section 49.063 of the Water Code. (Sec. 49.113, Water Code).

NOTE - The authority with whom an application for a place on the ballot is filed is required to designate an e-mail address in the notice required by Section 141.040 of the Code for the purpose of filing an application for a place on the ballot.

NOTE - The delivery, submission, or filing of an application with an employee of the filing authority at the authority’s usual place for conducting official business constitutes filing with the authority. (Sec. 1.007).

NOTE - Candidates will need to provide an indication on their candidate application that the candidate has either not been finally convicted of a felony, or if so convicted, has been pardoned or otherwise released from the resulting disabilities. A person who has been convicted of a felony will need to include with the application proof that the person has been pardoned or otherwise released from the resulting disabilities. The application form must include a statement informing candidates of the requirement to submit this information. Further, the official application form will need to include a statement informing candidates that knowingly providing false information on their application related to their final felony conviction status is a Class B misdemeanor. (Secs. 141.031, 141.039).

NOTE - School Districts: In addition to the general felony rule at Election Code Sec. 141.001 (finally convicted), a candidate for school board must not have been convicted (finally convicted or otherwise) of specific crimes under the Education Code in time to serve. (Sec. 11.066, Education Code).

January

Monday, January 1, 2024

First day for voters to submit an ABBM, an Annual ABBM, or a Federal Postcard Application (FPCA). The Annual ABBM and FPCA allows the voter to receive ballots for all elections in which they are eligible to vote held in 2024. Voters who will be 65 or older on election day or voters with a disability are eligible to submit an annual application. The application is considered submitted at the time of receipt. (Secs. 84.001(e), 84.007, 86.0015).

Monday, January 15, 2024 (Martin Luther King, Jr. Day)

Wednesday, January 17, 2024 (30th day before Friday, February 16, 2024, regular filing deadline for a place on the ballot)

First day to file an application for a place on the ballot or a declaration of write-in candidacy. (Secs. 143.007, 144.005, Election Code; Secs. 11.055, 130.082(g), Educ. Code). See [Candidacy Filing outline](#) for more details. The following forms are available on the Secretary of State's website:

- [Application for Place on City/School/Other Political Subdivision Ballot \(PDF\)](#)
- If your home rule city or special law district allows for a petition, the following petition may be used: [Petition for Place on the City General Election Ballot \(PDF\)](#)
- [Declaration of Write-In Candidacy for City, School, or other Political Subdivisions \(PDF\)](#)

NOTE: We are often asked how filing can begin if you have not yet ordered the general election. You do not need to order your **general** (regularly occurring) election in order for the filing period to begin.

NOTE - The delivery, submission, or filing of an application with an employee of the filing authority at the authority's usual place for conducting official business constitutes filing with the authority. (Sec. 1.007)

NOTE: Most elective offices now require that a candidate be a registered voter of the territory that the office is elected from as of the filing deadline or as of other statutory deadlines. (Sec. 141.001). For more information on the candidate voter registration requirement, see [Voter Registration Requirements for Candidates](#).

NOTE - Cities, Schools, and Other Political Subdivisions: There are political subdivisions that do not have office hours on all days of the business week (Monday through Friday) or do not have an office that is open for eight hours each day of the business week. The Elections Division recommends that political subdivisions take steps to have someone available for a few hours most days during the candidate filing period to accept filings, and that political subdivisions post a schedule on their websites and on the bulletin boards where notices of meetings are posted of the days and times when someone will be available to accept filings.

The Elections Division also strongly recommends having someone available at the place of business on the filing deadline, especially from 2:00 PM to 5:00 PM, if you are otherwise closed. This guideline is based on the office-hour rule under Section 31.122 of the Election Code. Although a political subdivision may accept applications by mail, fax, or email without a person present at the office, the political subdivision will not be able to determine which applications were timely filed by 5:00 PM.

NOTE - Candidate applications, other than those that must be accompanied by a filing fee, may be filed via email. The application must be a scanned copy of the candidate application and must be sent to the filing authority's designated email address for accepting applications. (Secs. 143.004, 144.003).

Wednesday, January 31, 2024 (last weekday before February)

Recommended date that county election officials and local political subdivisions meet to discuss conducting elections at the same polling locations pursuant to Section 42.002, as well as any applicable joint election issues needed to be agreed upon. **NOTE: This is not a deadline; just a recommendation.**

February

Monday, February 5, 2024 (89th day before election day, extended from 90th day, Sunday, February 4, 2024, Sec. 1.006)

Last day for eligible political subdivisions to submit [Notice of Exemption Under Section 61.013 \(PDF\)](#) or an [Application of Undue Burden Status \(PDF\)](#) to the Secretary of State for exemption from the accessible voting system requirement. (Sec. 61.013). For additional information, consult the most current advisory on this topic, [Tex. Sec'y of State Election Advisory No. 2023-05](#).

Tuesday, February 13, 2024 (81st day before election day; 3rd day before filing deadline)

Political Subdivisions Other Than Counties: If a candidate dies on or before this date, his or her name is not placed on the ballot, if the filing deadline is Friday, February 16, 2024. (Sec. 145.094(a)(1)).

NOTE: Section 145.098 states if a candidate dies on or before the deadline for filing an application for a place on the ballot, the authority responsible for preparing the ballots MAY choose to omit the candidate. If the authority does choose to omit the candidate, the deadline for filing an application for a place on the ballot is extended to the fifth day after the filing deadline, Wednesday, February 21, 2024. This extended deadline only applies to the regular filing deadline. It **DOES NOT** apply to the write-in deadline.

Friday, February 16, 2024 (78th day before election day)

Political Subdivisions Other Than Counties: 5:00 PM - Last day for a candidate in a political subdivision (other than a county) to file an application for a place on the ballot for general election for officers for most political subdivisions, except as otherwise provided by the Texas Election Code. (Secs. 143.007(c), 144.005(d); Sec. 11.055, Education Code; Chapter 286, Health & Safety Code). See [Candidacy Filing outline](#) for more details.

NOTE - The delivery, submission, or filing of an application with an employee of the filing authority at the authority's usual place for conducting official business constitutes filing with the authority. (Sec. 1.007).

NOTE – A home-rule city’s charter may **NOT** provide an alternate candidate filing deadline. (Secs. 143.005(a), 143.007).

NOTE – City Offices with Four-Year Terms: If no candidate has filed for a city office with a four-year term, the filing deadline is extended to 5:00 PM on Friday, March 8, 2024. (Sec. 143.008).

NOTE – An application submitted by mail is considered to be filed at the time of its receipt by the appropriate filing authority. (Secs. 143.007(b), 144.005(b)).

NOTE - When reviewing candidate applications, please make sure that the candidate has used the most current version of the form.

Political Subdivisions Other Than Counties (General Election): Deadline for political subdivisions to order a general election to be held on Saturday, May 4, 2024, unless otherwise provided by the Election Code. (Sec. 3.005). One of the following forms may be used:

- [Order of Election for Municipalities \(PDF\)](#)
- [Order of Election for Other Political Subdivisions \(Including Schools\) \(PDF\)](#)

Political Subdivisions Other Than Counties (Special Election): Deadline to order a special election on a measure to be held on Saturday, May 4, 2024. One of the following forms may be used:

- [Order of Special Election for Municipalities \(PDF\)](#)
- [Order of Special Election for Other Political Subdivisions \(PDF\)](#)

The order must include:

1. The date of the election;
2. The location of the main early voting polling place **including the street address, room number, and building name. The order must designate which location is the main early voting polling place;**
3. The offices or measures to be voted on;
4. **(Recommended)** Branch early voting polling places (*see Notice of Elections* above);
5. The dates and hours for early voting (recommended for counties, but required for all other entities);
6. The dates and hours of any Saturday and Sunday early voting (if applicable, it is recommended that this information be included in the order for counties, but it must be included for all other entities); and
7. The early voting clerk’s official mailing address or street address at which the clerk may receive delivery by common or contract carrier, if different, phone number, e-mail address, and the Internet website, if the early voting clerk has an Internet website.

In addition to the information included above, an order for a debt obligation (bond) election **must** include (Sec. 3.009):

1. the proposition language that will appear on the ballot;
2. the purpose for which the debt obligations are to be authorized;
3. the principal amount of the debt obligations to be authorized;
4. that taxes sufficient to pay the principal of and interest on the debt obligations may be imposed;
5. a statement of the estimated tax rate if the debt obligations are authorized or of the maximum interest rate of the debt obligations or any series of the debt obligations, based on the market conditions at the time of the election order;
6. the maximum maturity date of the debt obligations to be authorized or that the debt obligations may be issued to mature over a specified number of years not to exceed the maximum number of years authorized by law;
7. the aggregate amount of the outstanding principal of the political subdivision's debt obligations as of the date the election is ordered;
8. the aggregate amount of the outstanding interest on debt obligations of the political subdivision as of the date the election is ordered, which may be based on the political subdivision's expectations relative to variable rate debt obligations; and
9. the ad valorem debt service tax rate for the political subdivision at the time the election is ordered, expressed as an amount per \$100 valuation of taxable property.

Recommended date to order the lists of registered voters from the county voter registrar. The list should include both the voters' residences and mailing addresses in order to conduct early voting by mail. (Sec. 18.006). The political subdivision should confirm that the most recent maps or boundary changes have been provided to the voter registrar.

Recommended date to confirm telephone number for the county voter registrar's office on election day.

Recommended date to order election supplies, other than ballots. (Subchapter A, Chapter 51).

Political Subdivisions Other Than Counties: *Recommended* date to appoint **presiding and alternate judges**. Currently, the Election Code does not establish a deadline for appointing election officials; there is only a notification deadline. For further information concerning procedures for appointing judges and their alternates, see Sections 32.005, 32.008, and 32.011. General eligibility requirements are found in Subchapter C, Chapter 32. In addition to appointing a judge and alternate judge for each election precinct pursuant to Sections 32.001 and 32.005, the governing body must allow the judge to appoint no less than two clerks; however, the alternate judge must serve as one of the clerks as a matter of law. (Secs. 32.032, 32.033). The presiding judge then appoints an additional clerk(s), but not more than the maximum set by the governing body. (Sec. 32.033). Presiding judges and their alternates must be given a Notice of

Appointment (PDF) **not later than the 20th day after the appointment is made.** (Sec. 32.009). If the appointment is for a single election, the notice may be combined with the Writ of Election (PDF), which is required to be delivered to each presiding judge **not later than the 15th day before the election, Friday, April 19, 2024.** (Secs. 4.007, 32.009(e)). If the notices are combined, both must be delivered by the date required by the earlier notice. See Note 19 regarding Online Training Materials.

Water Districts: A water district is not required to provide a Notice of Appointment to a presiding judge, as required under Section 32.009, but must provide a Writ of Election (PDF). (Sec. 4.007; Sec. 49.110, Water Code).

Recommended date to appoint the **central counting station personnel** (manager, tabulation supervisor and assistants to the tabulation supervisor), if applicable. (Secs. 127.002, 127.003, 127.004, and 127.005). There is no statutory notice requirement for members of the central counting station, but good practice suggests that written notice be given to them.

Recommended date to appoint the **presiding judge and alternate presiding judge of the early voting ballot board** or to designate the election workers of one election precinct to serve as the early voting ballot board. (Secs. 87.001, 87.002, and 87.004). There is no statutory notice requirement for members of the early voting ballot board, but good practice suggests that written notice be given to them.

Monday, February 19, 2024 (Presidents' Day)

Tuesday, February 20, 2024 (74th day before election day)

5:00 PM - Deadline for write-in candidates to file Declarations of Write-In Candidacy (PDF) for regular officers for city, school district, library district, junior college district, hospital district, common school districts, Chapter 36 and 49 Water Code districts, and other political subdivision elections, unless otherwise provided by law. (Secs. 144.006(b), 146.054(b), 146.055, Election Code; Secs. 11.056, 11.304, 130.0825, Education Code; Sec. 326.0431, Local Government Code; Sec. 285.131, Health and Safety Code; and Secs. 36.059, 49.101, 63.0945, Water Code). See Candidacy Filing outline for more details.

NOTE: An application submitted by mail is considered to be filed at the time of its receipt by the appropriate filing authority. (Secs. 143.007(b), 144.005(b)).

Wednesday, February 21, 2024 (73rd day before election day; 5th day after regular filing deadline)

If a candidate dies on or before the deadline for filing an application for a place on the ballot, the authority responsible for preparing the ballots MAY choose to omit the candidate's name if the

authority does choose to omit the candidate's name, the deadline for filing an application for a place on the ballot is extended to the fifth day after the filing deadline, February 21st. This extended deadline only applies to the regular filing deadline. It **DOES NOT** apply to the write-in deadline. (Sec. 145.098).

Thursday, February 22, 2024 (72nd day before election day)

First day to post Notice of Drawing for Place on Ballot (PDF) if drawing is to be conducted on Monday, February 26, 2024. This notice must be posted for 72 hours immediately preceding the time of the drawing. (Sec. 52.094(c)).

The authority conducting the ballot position drawing shall provide notice of the date, hour, and place of the drawing to candidates by this date if the drawing is to be conducted on Monday, February 26, 2024, as recommended. (Sec. 52.094(d)). If a candidate in a special election files on this date, they should be given a copy of the notice at the time they file.

The authority conducting the drawing shall provide notice of the date, hour, and place of the drawing to each candidate. The authority may provide written notice at the time the candidate files an application with the appropriate authority.

If notice was not provided at the time the candidate filed an application, the notice may be provided by:

1. written notice that is mailed to the address stated on the candidate's application not later than the fourth day before the date of the drawing; or
2. telephone, if a telephone number is provided on the candidate's application; or
3. by e-mail, if an e-mail address was provided on the candidate's application. (Sec. 52.094).

Friday, February 23, 2024 (71st day before election day)

Political Subdivisions Other Than Counties: 5:00 PM –Last day for a candidate to withdraw, by submission of a notarized Certificate of Withdrawal (PDF) or a notarized letter. **If a candidate withdraws or is declared ineligible by this date, his or her name is omitted from the ballot.** (Secs. 145.092(f), 145.094(a)(4), 145.096(a)(4)). For special circumstances regarding withdrawal of a candidate before ballots are prepared, please contact the Elections Division of the Office of the Texas Secretary of State.

Political Subdivisions Other Than Counties: 5:00 PM – Last day to **withdraw** as a **write-in** candidate in the general election ordered by a political subdivision other than a county. (Secs. 144.006(c), 146.0301, 146.054(c)). (Candidates may use the Certificate of Withdrawal (PDF)).

Recommended first day that an election may be cancelled if all filing deadlines have passed, each candidate for an office listed on the ballot is unopposed (except as discussed below), and write-in votes may be counted only for names appearing on a list of write-in candidates. (Sec. 2.052). The [Certification of Unopposed Candidates for Other Political Subdivisions \(PDF\)](#) may be used to certify candidates as unopposed. Also, see our [Sample Order of Cancellation \(PDF\)](#).

A special election of a political subdivision is considered to be a separate election with a separate ballot from a general election for officers of the same political subdivision held at the same time as the special election. Therefore, the fact that there may be a proposition on the ballot will not prevent a cancellation of an election for candidates who are unopposed. (Sec. 2.051(a)). If any members of the political subdivision's governing body are elected from territorial units, such as single member districts, an election **shall** be cancelled in a particular territorial unit if each candidate for an office that is to appear on the ballot in that territorial unit is unopposed **and no opposed at-large race is to appear on the ballot**. An unopposed at-large race **shall** be cancelled in an election regardless of whether an opposed race is to appear on the ballot in a particular territorial unit. (Sec. 2.051(b)).

This recommended cancellation deadline presumes a filing deadline of Friday, February 16, 2024 and a write-in deadline of Tuesday, February 20, 2024. Special elections may have different deadlines, and may be cancelled separately. For more information on cancellation of elections, please see the Secretary of State's Advisory - [Cancellation of Election for Local Political Subdivisions \(Not County\)](#).

NOTE – Under Section 2.053 of the Texas Election Code, this cancellation process is mandatory rather than discretionary. For additional information, consult the outline on [Cancellation of Election for Local Political Subdivisions \(Not County\)](#).

NOTE: Political Subdivision Holding a Special Election to Fill a Vacancy: If you are having a special election to fill a vacancy for an unexpired (partial) term, you must not cancel the special election until after all deadlines to file for a special vacancy election have passed. Reminder: The cancellation procedures allow general and special elections to be considered separate elections for cancellation purposes. If the elections are separated, note there are procedures related to listing unopposed candidates in the same relative order on the ballot. See Sec. 2.053, Election Code and the Secretary of State's outline on [Cancellation of Election for Local Political Subdivisions \(Not County\)](#).

Saturday, February 24, 2024 (70th day before election day)

Last day to order a special election to fill a vacancy (if authorized to fill vacancies by special election) and have the filing deadline be the 62nd day before election day. (Secs. 201.054(a)(1), 201.052). Please note that the Election Code requires the election to be ordered as soon as practicable after the vacancy occurs. (Sec. 201.051). One of the following forms may be used:

- [Order of Special Election for Municipalities \(PDF\)](#)
- [Order of Special Election for Other Political Subdivisions \(PDF\)](#)

NOTE: Section 201.054 provides that if the special election to fill a vacancy is ordered (1) on or before the 70th day before election day, the candidate application must be filed by 5:00 PM on the 62nd day before election day, OR (2) after the 70th day but on or before the 46th day before election day, the candidate application must be filed by 5:00 PM on the 40th day before election day. This is the first of the two possible ordering times. We do **not** interpret the 70th day order date here as “moving” to the next business day because the date falls on a Saturday, as this is not the last day to order a special election to fill a vacancy for this uniform election date. If a candidate in a special election files on this date, they should be given a copy of the notice at the time they file.

NOTE - A candidate must provide an indication on their candidate application that the candidate has either not been finally convicted of a felony, or if so convicted, has been pardoned or otherwise released from the resulting disabilities. A person who has been convicted of a felony will need to include with the application proof that the person has been pardoned or otherwise released from the resulting disabilities. The application form must include a statement informing candidates of the requirement to submit this information. Further, the official application form will need to include a statement informing candidates that knowingly providing false information on their application related to their final felony conviction status is a Class B misdemeanor. (Secs. 141.031, 141.039).

NOTE - School Districts: In addition to the general felony rule at Election Code Sec. 141.001 (finally convicted), a candidate for school board must not have been convicted (finally convicted or otherwise) of specific crimes under the Education Code in time to serve. ([Sec. 11.066](#), Education Code).

Monday, February 26, 2024 (68th day before election day)

Recommended date to conduct ballot position drawing. (Sec. 52.094). You should also certify today to the county election officer the offices, propositions (in all necessary languages), and candidates’ names (including the order) as they are to appear on the ballot, **if you are contracting** to have the county conduct your election or if you are conducting a joint election with the county. See entry for [February 22, 2024](#) regarding ballot drawing.

NOTE - After the ballot drawing has occurred, the Elections Division recommends that you proof and test your ballot programming as soon as possible and **prior to the deadline to mail a ballot** if the political subdivision will be using automatic tabulating equipment to count the mail ballots or if your mail ballots are printed from the same database used to program your precinct scanners and/or DREs (See [Note 14.](#)) **The Elections Division also recommends that you provide**

candidates with copies of ballot proofs so that candidates may verify the correctness of their names, positions sought, and order of names on the ballot.

Thursday, February 29, 2024 (Leap Year)

March

Saturday, March 2, 2024 (Texas Independence Day)

Monday, March 4, 2024 (61st day before election day, extended from 62nd day, Sunday, March 3, 2024, Sec. 1.006)

Political Subdivisions Other Than Counties: 5:00 PM – Last day to file an application for a place on the ballot in a special election to fill a vacancy, if the special election is ordered on or before the 70th day before election day, Saturday, February 24, 2024. (Secs. 1.006, 201.054(a)(1)). (For more details about Section 201.054 and the two possible special election deadlines, see entry for Saturday, February 24, 2024).

Political Subdivisions Other Than Counties: 5:00 PM – Deadline for write-in candidates to file Declarations of Write-In Candidacy (PDF) for officers for city, school district, library district, junior college district, hospital district, and common school districts in a special election to fill a vacancy if the special election is ordered on or before the 70th day before election day, Saturday, February 24, 2024. (Sec. 201.054(a)(1), 201.054(g)).

NOTE: A declaration of write-in candidacy for a special election must be filed not later than the regular filing deadline to apply for a place on the ballot. The deadline to file an application for a place on the ballot in a special election to fill a vacancy, if the special election is ordered on or before the 70th day before election day, Saturday, February 24, 2024, is Monday, March 4, 2024. (Sec. 1.006).

NOTE - Sections 141.031 and 141.039 of the Code provide the application requirements related to a candidate's final felony conviction status and what must be included on the candidate application form. Specifically, candidates will need to provide an indication on their candidate application that the candidate has either not been finally convicted of a felony, or if so convicted, has been pardoned or otherwise released from the resulting disabilities. A person who has been convicted of a felony will need to include with the application proof that the person has been pardoned or otherwise released from the resulting disabilities. The application form must include a statement informing candidates of the requirement to submit this information. Further, the official application form will need to include a statement informing candidates that knowingly providing false information on their application related to their final felony conviction status is a Class B misdemeanor. (Secs. 141.031, 141.039).

NOTE - When reviewing candidate applications, please make sure that the candidate has used the most current version of the form.

NOTE - School Districts: In addition to the general felony rule at Election Code Sec. 141.001 (finally convicted), a candidate for school board must not have been convicted (finally convicted or otherwise) of specific crimes under the Education Code in time to serve. (Sec. 11.066, Education Code).

NOTE – Section 52.094 of the Code requires the authority conducting the drawing to provide notice of the date, hour, and place of the drawing to each candidate by: 1) written notice that is mailed to the address stated on the candidate’s application not later than the fourth day before the date of the drawing; or 2) provided at the time the candidate files an application with the appropriate authority. If not provided at the time the candidate files an application, the notice may be provided by telephone, if a telephone number is provided on the candidate’s application or by e-mail, if an e-mail address was provided on the candidate’s application. (Sec. 52.094). (Notice of Drawing for Place on Ballot).

Tuesday, March 5, 2024 (60th day before election day)

Political Subdivisions Other Than Counties: Last day for the governing body of a political subdivision to deliver notice of the election to the county clerk/elections administrator and voter registrar of each county in which the political subdivision is wholly or partly located. (Sec. 4.008).

NOTE FOR COUNTIES - Section 4.003 requires that counties post on the county website the notice and list of polling locations of any political subdivision that delivers their notice to the county under Section 4.008. This is regardless of whether the county is contracting with the entity. See Note 9 for more information on the requirements related to the Notice of Election.

NOTE - Section 4.004 requires the notice of election to include the Internet website of the authority conducting the election.

NOTE - Section 83.010 requires an election order and the election notice to state the early voting clerk’s official mailing address or street address at which the clerk may receive delivery by common or contract carrier, if different, phone number, e-mail address, and the Internet website, if the early voting clerk has an Internet website. (Sec. 83.010).

Recommended date for county clerk/county elections administrator to deliver an initial list of voters who have submitted annual applications for ballot by mail under Section 86.0015 and scans or photocopies of those applications to the early voting clerk of any political subdivision located within the county that is holding an election on May 4, 2024. The list should only include voters that reside in the political subdivision holding the election. The list should only be created and sent to those political subdivisions that have provided notice of the election to the county

clerk/elections administrator. *See also*, the note below and the [entry](#) at Tuesday, April 23, 2024, for more information about delivery of a final list of voters. *See entry* at Monday, April 22, 2024 for more information on the delivery of copies/images of the applications.

NOTE: Section 86.0015 requires the county clerk/elections administrator to provide a list of voters that have submitted an annual application for ballot by mail to all political subdivisions in their county holding an election. The law only applies to elections for which the county clerk/elections administrator is not the early voting clerk via a contract for election services or joint election agreement. The Election Division *strongly recommends* that the county and political subdivisions **discuss the frequency and method for which these lists should be transmitted** to ensure that ballots are sent out in a timely manner. Finally, the county clerk/elections administrator **must deliver either photocopies or scanned images of the applications (under Section 87.126) to the early voting clerk** of the political subdivision before the ballots by mail are delivered to the early voting ballot board for qualifying and counting under Section 87.041.

Thursday, March 7, 2024 (58th day before election day, 20th day after February 16, 2024)

Last day to notify election judges of their appointment if they were appointed, as recommended, by Friday, February 16, 2024. (Sec. 32.009(b)). Presiding judges and their alternates must be [notified \(PDF\)](#) of their appointment in writing, not later than the 20th day after the date the appointment is made. If the appointment is for a single election, the notice may be combined with the [Writ of Election \(PDF\)](#), which is required to be delivered to each presiding judge not later than the 15th day before the election, Friday, April 19, 2024. (Sec. 4.007, 32.009(e)). If the notices are combined, both must be delivered by the date required by the earlier notice.

Friday, March 8, 2024 (57th day before election day)

Political Subdivisions: 5:00 PM –Last day for a candidate to file [Certificate of Withdrawal \(PDF\)](#) in a special election, in which the filing deadline is the 62nd day before election day. If a candidate withdraws or is declared ineligible by this date, his or her name is omitted from the ballot. (Secs. 145.092(b), (e) and 145.094(a)(3)).

For special circumstances regarding withdrawal of a candidate before ballots are prepared, please contact the Elections Division of the Office of the Texas Secretary of State.

City Offices with Four-Year Terms: 5:00 PM – Extended filing deadline in cities with four-year terms of office, when no candidate files for a particular office by the regular filing deadline of Friday, February 16, 2024. (Sec. 143.008). (*See entry* for Friday, February 16, 2024).

Sunday, March 10, 2024 (Daylight Savings)

Friday, March 15, 2024 (50th day before election day)

Deadline to challenge the filing of an application for a place on the ballot as to form, content, and procedure. (Sec. 141.034)

NOTE - Section 141.034 of the Code provides that a candidate application cannot be challenged for “Form, Content, and Procedure” defects after the 50th day before the date of the election for which the application is made. (Sec. 141.034).

Friday, March 15, 2024 - Thursday, June 13, 2024 (50th day before election day – 40th day after election day)

Mandatory Office Hours: Each county clerk, city secretary, or secretary of a governing body (or the person performing duties of a secretary) must keep the office open for election duties for at least 3 hours each day, during regular office hours, on regular business days. (Sec. 31.122).

NOTE: Independent School Districts: A “regular business day” means a day on which the school district’s main business office is regularly open for business. (Sec. 31.122(b)).

NOTE: If a school district’s spring break falls during the mandatory office hour period under Section 31.122 of the Election Code, a school district is not required to have someone present for three hours during the days the school district’s main business office is not regularly open for business. However, we strongly recommend posting notice with contact information for open records requests. You should also have one of your elections personnel check at least once a day in the event a voter sent an ABBM to the school district address, fax, or e-mail.

NOTE: Good Friday falls during the mandatory office hour period under Section 31.122 of the Election Code. Section 31.122 applies to Good Friday; therefore entities, other than school districts, will need to be open for at least 3 hours that day. Section 31.122(b) grants school districts an exception if Good Friday is a local holiday and a day the school district’s main business office is not regularly open for business. (Sec. 31.122).

NOTE: Special Elections: In the case of a special election, the office hour rule is triggered starting the third day after the special election is ordered. (Sec. 31.122).

NOTE: Section 31.096 of the Code addresses nontransferable functions under an election services contract. **Specifically, an election services contract may not change the political subdivision’s requirement to maintain office hours under Section 31.122.** Section 31.096 of the Code also allows a county that has contracted with a city to be the custodian of voted ballots for a city election. (Sec. 31.096). See [Note 20](#).

Sunday, March 17, 2024 (48th day before election day)

Last day to publish [notice \(PDF\)](#) for testing of automatic tabulation equipment testing and logic and accuracy testing (L&A testing) of a voting system that uses direct recording electronic (DRE) voting machines and precinct scanners **if test will be completed by recommended deadline of Tuesday, March 19, 2024**. Notice of the public tests must be published at least 48 hours before the test begins. (Secs. 127.093, 127.096, 129.022, 129.023). See [Note 14](#), above.

Tuesday, March 19, 2024 (46th day before election day)

Political Subdivisions: Last day to order a special election to fill a vacancy (if authorized to fill vacancies by special election). If the election was ordered after the 70th day before election day, the filing deadline will be the 40th day before election day. (Secs. 201.052, 201.054(a)(2)). The Election Code requires the election to be ordered as soon as practicable after the vacancy occurs. (Sec. 201.051). The following forms may be used:

- [Order of Special Election for Municipalities \(PDF\)](#)
- [Order of Special Election for Other Political Subdivisions \(PDF\)](#)

Please note that the Election Code requires the election to be ordered as soon as practicable after the vacancy occurs. (Sec. 201.051). (For more information about the write-in declaration deadline, see Monday, March 25, 2024 [note entry](#). For more details about Section 201.054 and the two possible special election deadlines, see Saturday, February 24, 2024 [note entry](#).)

NOTE- Sections 141.031 and 141.039 of the Code provide the application requirements related to a candidate's final felony conviction status and what must be included on the candidate application form. Specifically, candidates will need to provide an indication on their candidate application that the candidate has either not been finally convicted of a felony, or if so convicted, has been pardoned or otherwise released from the resulting disabilities. A person who has been convicted of a felony will need to include with the application proof that the person has been pardoned or otherwise released from the resulting disabilities. The application form must include a statement informing candidates of the requirement to submit this information. Further, the official application form will need to include a statement informing candidates that knowingly providing false information on their application related to their final felony conviction status is a Class B misdemeanor. (Secs. 141.031, 141.039).

NOTE - When reviewing candidate applications, please make sure that the candidate has used the most current version of the form.

NOTE - School Districts: In addition to the general felony rule at Election Code Sec. 141.001 (finally convicted), a candidate for school board must not have been convicted (finally convicted or otherwise) of specific crimes under the Education Code in time to serve. ([Sec. 11.066](#), Education Code).

Recommended date to conduct the first test of the automatic tabulating equipment and for logic and accuracy (L&A test) test on precinct scanners and DREs. (Secs. 127.093, 127.096, 129.022, 129.023). The SOS recommends you complete your first round of testing **prior to mailing your mail ballots** if those ballots will be counted using automatic tabulation equipment. If you conduct your first round of testing by this date, you must publish notice of the test 48 hours prior to testing. See Note 14, above.

NOTE- The general custodian of election records is required to demonstrate, using a representative sample of voting system equipment, that the source code of the equipment has not been altered. (Sec. 129.023(c-1)). See Tex. Sec'y of State Election Advisory No. 2019-23 and Tex. Sec'y of State Election Advisory No. 2022-30 for more information on hash validation and voting system procedures.

Wednesday, March 20, 2024 (45th day before election day)

Deadline to mail ballots to military or overseas voters who already submitted their ballot requests via a federal postcard application (FPCA) or via a standard application for ballot by mail (ABBM) and indicated that they are outside the United States. If the early voting clerk cannot meet this 45th-day deadline, the clerk **must** notify the Secretary of State within 24 hours. (Sec. 86.004(b)).

NOTE - An FPCA may be submitted by in-person delivery by the voter in accordance with Section 84.008 of the Code or by common or contract carrier. Further, an application is considered submitted in the following calendar year if: 1) the applicant is eligible to vote in an election occurring in January or February of the next calendar year; and 2) the application is submitted in the last 60 days of a calendar year but not earlier than the 60th day before the date of the January or February election. (Sec. 101.052).

NOTE - A member of the Texas National Guard or the National Guard of another state or a member of a reserve component of the armed forces of the United States serving on active duty under an order of the President of the United States or activated on state orders, or the spouse or dependent of a member, may submit an FPCA. (Sec. 101.001). For a full list of eligible FPCA voters, see Note 16.

Reminder Regarding FPCAs and Overseas ABBMs: If the early voting clerk receives an FPCA (from a military or non-military voter) or an ABBM from an overseas voter after the 45th day deadline, then the ballot **must** be mailed within seven days after the early voting clerk **receives** the FPCA or ABBM. (Secs. 86.004(b), 101.104).

Reminder: In regards to mail ballots for other voters (not military voters using an FPCA or overseas voters using an FPCA or ABBM), the early voting clerk **must** mail a ballot not later than the 7th day after the later of: (1) the date the early voting clerk has accepted a voter's application

for a ballot by mail or (2) the date the ballots become available for mailing. However, if the 7th day falls earlier than the 37th day before election day, the voter's mail ballot must be mailed no later than the 30th day before election day. (Sec. 86.004(a)). This means that for every application that is accepted by the early voting clerk before the 37th day before election day, the balloting materials must be mailed by the 30th day before election day. Any application that comes in after the 37th day before election day will follow the 7-day timeline in Sec. 86.004.

NOTE - Information on the early voting roster for both early voting in person and early voting by mail must be made available for public inspection and on the county's website if the county clerk or elections administrator is serving as the early voting clerk. For an election held by a political subdivision in which the county clerk or elections administrator is not serving as the political subdivision's early voting clerk, then the information on the roster must be made available on the Internet website of the authority ordering the election. The early voting roster shall be posted by 11:00 a.m. on the day after the information is entered on the roster (for early voting in person) or by 11:00 a.m. on the day after the early voting clerk receives a ballot voted by mail. If the entity does not maintain a website, the information must be on the bulletin board used for posting notices. (Sec. 87.121). See [Note 21](#).

NOTE - Section 87.121 of the Code provides that if an early voting clerk fails to post their early voting rosters in accordance with Section 87.121, a person registered to vote in the county where the early voting clerk is conducting early voting may file a complaint with the Secretary of State regarding the early voting clerk's noncompliance. The Secretary of State by rule shall create and maintain a system for receiving and recording these complaints. (Sec. 87.121).

Monday, March 25, 2024 (40th day before election day)

Political Subdivisions: 5:00 PM – Last day to file for a place on the ballot in a special election to fill a vacancy, if the special election is ordered after the 70th day before election day, but on or before the 46th day before election day, Tuesday, March 19, 2024. (Sec. 201.054(a)(2)). (For more details about Section 201.054 and the two possible special election deadlines, see Saturday, February 24, 2024 [note entry](#).)

Political Subdivisions: 5:00 PM – Deadline for write-in candidates to file [Declarations of Write-In Candidacy \(PDF\)](#) for officers for city, school district, library district, junior college district, hospital district, and common school districts in a special election to fill a vacancy if the special election is ordered after the 70th day before election day, but on or before the 46th day before election day, Tuesday, March 19, 2024. (Sec. 201.054(a)(1), 201.054(g)).

NOTE - Section 201.054(g) provides that a declaration of write-in candidacy for a special election must be filed not later than the filing deadline.

NOTE - When reviewing candidate applications, please make sure that the candidate has used the most current version of the form.

NOTE - Sections 141.031 and 141.039 of the Code provide the application requirements related to a candidate’s final felony conviction status and what must be included on the candidate application form. Specifically, candidates will need to provide an indication on their candidate application that the candidate has either not been finally convicted of a felony, or if so convicted, has been pardoned or otherwise released from the resulting disabilities. A person who has been convicted of a felony will need to include with the application proof that the person has been pardoned or otherwise released from the resulting disabilities. The application form must include a statement informing candidates of the requirement to submit this information. Further, the official application form will need to include a statement informing candidates that knowingly providing false information on their application related to their final felony conviction status is a Class B misdemeanor. (Secs. 141.031, 141.039).

NOTE - School Districts: In addition to the general felony rule at Election Code Sec. 141.001 (finally convicted), a candidate for school board trustee must not have been convicted (finally convicted or otherwise) of specific crimes under the Education Code in time to serve. (Sec. 11.066, Education Code).

NOTE - Section 52.094 of the Code requires the authority conducting the drawing to provide notice of the date, hour, and place of the drawing to each candidate by: 1) written notice that is mailed to the address stated on the candidate’s application not later than the fourth day before the date of the drawing; or 2) provided at the time the candidate files an application with the appropriate authority. If not provided at the time the candidate files an application, the notice may be provided by telephone, if a telephone number is provided on the candidate’s application or by e-mail, if an e-mail address was provided on the candidate’s application. (Sec. 52.094). (Notice of Drawing for Place on Ballot).

Friday, March 29, 2024 (Good Friday)

Note that the office hour requirement of Section 31.122 **applies to Good Friday**. For more information on the office hour rule, see the entry for March 15, 2024 – June 13, 2024.

Saturday, March 30, 2024 (35th day before election day)

Political Subdivisions Other Than Counties: 5:00 PM – Last day for a candidate to file a Certificate of Withdrawal (PDF) in a special election in which the filing deadline is the 40th day before election day. **If a candidate withdraws or is declared ineligible by this date, his or her name is omitted from the ballot.** This deadline does not extend to the next business day under Section 1.006. (Secs. 145.092(a), 145.094(a)(2)).

Sunday, March 31, 2024 (Easter Day/Cesar Chavez Day)

April

Thursday, April 4, 2024 (30th day before election day)

Last day to register to vote or make a change of address effective for the May 4, 2024 election. (Secs. 13.143, 15.025).

NOTE - A voter who submits a change of address after this date may still be eligible to return to his or her previous precinct to vote under “fail-safe” voting, if he or she still resides in the **same** county and the same local political subdivision, if applicable, conducting the election. (Secs. 15.025, 63.0011).

NOTE - A Federal Postcard Application (FPCA) also serves as an application for **permanent** registration under Texas law **unless the voter marked “my intent to return is uncertain” (2019 form (PDF)), or “my return is uncertain” (2017 form))**. The early voting clerk should make a copy (for mailing ballots, keeping records, etc.), then should forward the original to the county voter registrar, as soon as practicable. (Sec. 101.055; 1 T.A.C. § 81.40(a), (c)(2)).

Deadline for early voting clerk to mail a ballot by mail to a voter if the voter's Application for Ballot by Mail (ABBM) was accepted by the early voting clerk on or before Thursday, March 28, 2024. (Sec. 86.004(a)).

NOTE: In regards to mail ballots for other voters (not military voters using an FPCA or overseas voters using an FPCA or ABBM), the early voting clerk **must** mail a ballot not later than the 7th day after the later of: (1) the date the early voting clerk has accepted a voter’s application for a ballot by mail or (2) the date the ballots become available for mailing. However, if the 7th day falls earlier than the 37th day before election day, the voter’s mail ballot must be mailed no later than the 30th day before election day. (Sec. 86.004(a)). This means that for every application that is accepted by the early voting clerk before the 37th day before election day, the balloting materials must be mailed by the 30th day before election day. Any application that comes in after the 37th day before election day will follow the 7-day timeline in Sec. 86.004.

First day of period during which notices of election must be published in a newspaper of general circulation **if method of giving notice is not specified by a law outside the Texas Election Code**, and this method of giving notice is selected. The notice for elections ordered by the governor, by a county authority, or by an authority of a city or school district must be given by publication in a newspaper in addition to any other method specified by a law outside the Election Code. (Sec. 4.003(a)(1), (c), (d)). This notice may be combined with the other notices you are required to publish. The election notice shall be posted on the political subdivision’s website. See Note on Notice of Elections.

NOTE - Section 4.004 requires the notice of election to include the Internet website of the authority conducting the election. (Sec. 4.004(a)).

NOTE - Section 83.010 of the Code requires an election order and the election notice to state the early voting clerk's official mailing address or street address at which the clerk may receive delivery by common or contract carrier, if different, phone number, e-mail address, and the Internet website, if the early voting clerk has an Internet website. (Sec. 83.010).

Recommended date for early voting clerk to issue order calling for appointment of signature verification committee if one has been appointed. (Sec. 87.027). This form may be used to issue order: [Order Calling for Signature Verification Committee \(PDF\)](#). If the signature verification committee will start meeting on Sunday, April 14, 2024, the early voting clerk must post a copy of the order calling for appointment of the signature verification committee on or before this date, in order to give notice of the meeting. The order must remain posted continuously for at least 10 days before the first day the committee meets. (Secs. 87.027, 1.006).

Cities, Schools, and Other Political Subdivisions: It is **strongly recommended** that the [Notice of Voting Order Priority \(PDF\)](#) for voters with mobility issues also be posted on the subdivision's website, if one is maintained by the political subdivision. (Secs. 63.0015, 85.007(d)). For more information on this requirement, see [Note 15](#).

Counties: The **recommended** time to include this notice on a county website is when the notice of election is also posted on the website. This notice is required to go on the county's website. (Secs. 63.0015, 85.007(d)).

NOTE - Notice of Previous Polling Place: If a different polling place is being used than at the previous election held by the same authority, [Notice of Change to Polling Place \(PDF\)](#) must be posted at the entrance of the previous polling place informing voters of the current polling place location, if possible. (Sec. 43.062).

Friday, April 5, 2024 (29th day before election day)

Recommended last day for early voting clerk to coordinate with the voter registrar receipt of supplemental and registration correction lists, if applicable, or coordinate receipt of revised original list from the voter registrar for early voting by personal appearance. (Secs. 18.001, 18.002, 18.003, 18.004).

NOTE- Per Sections 18.002 and 18.003 of the Code, supplemental and corrected voter registration lists must be provided as needed to ensure all eligible voters appear on the official list of registered voters. (Secs. 18.002, 18.003).

Tuesday, April 9, 2024 (25th day before election day)

Recommended last date for the governing body of political subdivision, as appropriate to appoint a signature verification committee (if one was ordered by the early voting clerk on Thursday, April

4, 2024). See [entry](#) under Thursday, April 4, 2024. (Secs. 51.002, 87.027). The members must be appointed not later than the fifth day after the order was issued by the early voting clerk. The appointing authority must post a notice of the appointment of committee members continuously until the last day the signature verification committee meets. This form may be used for the notice: [Notice of Appointment of Signature Verification Committee \(PDF\)](#).

Counties: For timeframes for appointment of various election workers for counties, see [Tex. Sec’y of State Election Advisory No. 2023-06](#).

Saturday, April 13, 2024 (21st day before election day)

Last day to post notice of election on bulletin board used for posting notices of meetings of governing body. (Sec. 4.003(b)). A [Record of Posting Notice of Election \(PDF\)](#) should be completed at the time of posting. (Secs. 1.006, 4.005). See [Note on Notice of Elections](#).

Last day to post notice of election in each election precinct, if the method of giving notice is **not** specified by a law outside the Election Code and notice is given by this method in lieu of publication. (Secs. 1.006, 4.003(a)(2)). Cities and school districts **must** publish their notice in the newspaper. A [Record of Posting Notice of Election \(PDF\)](#) should be completed at the time of posting. (Secs. 1.006, 4.005).

All Political Subdivisions: The election notice shall be posted on the political subdivision’s website, if the political subdivision maintains a website. The order and notice should include all days and hours for early voting by personal appearance including voting on **ANY** Saturday or Sunday. (Secs. 85.006, 85.007).

For Bond Elections: First day a political subdivision must post on their Internet website prominently and together with the notice of the election, a copy of the sample ballot, and the contents of the proposition, if the political subdivision maintains an Internet website. (Sec. 4.003(f)).

The **recommended** time to include the notice of accepting voters with certain disabilities on a county website is when the notice of election is also posted on the website. (Secs. 63.0015, 85.007(d)). See [Note 15](#) regarding notice on accepting voters with certain disabilities.

Counties, Cities, and School Districts: Last day for a county that holds an election or provides election services for an election to post certain information regarding the upcoming election(s) on the county’s website per Section 4.009. A city or independent school district that holds an election and maintains an Internet website must also post this same election information on their website even if the county is also posting this data. The information posted on the website must include:

1. the date of the election;

2. the location of each polling place;
3. each candidate for an elected office on the ballot; and
4. each measure on the ballot. (Sec. 4.009).

Sunday, April 14, 2024 (20th day before election day)

First day that the signature verification committee may begin operating, if one is created. (Sec. 87.027). For more information on corrective action, see Note 17 and Tex. Sec’y of State Election Advisory No. 2023-13.

NOTE - Section 127.1232 provides that in counties with a population of 100,000 or more, the general custodian of election records shall implement a video surveillance system that retains a record of all areas containing voted ballots: (1) from the time the voted ballots are delivered to the central counting station until the canvass of the precinct election returns; and (2) from the time the voted ballots are delivered to the signature verification committee or early voting ballot board until the canvass of precinct election returns. Video from the surveillance system shall be made available to the public by live stream. The recorded video is considered an election record and shall be retained by the general custodian until the end of the calendar year in which an election is held or until an election contest filed in the county has been resolved, whichever is later. (Sec. 127.1232). See Tex. Sec’y of State Election Advisory No. 2022-10.

Monday, April 15, 2024 (19th day before election day, extended from 20th day, Sunday, April 14, 2024, Sec. 101.052(i)(2))

Deadline for a person who is not permanently registered to vote to submit a postmarked FPCA, in order to receive a ballot for any non-federal election held on May 4, 2024. A person who is **not** permanently registered to vote and submits a postmarked FPCA after this date (20th day) and before the deadline to submit an application for ballot by mail is not entitled to receive a ballot for any non-federal election. See Friday, April 19, 2024 entry for timeliness of an FPCA received without a postmark. (Secs. 101.052(e), 101.052(i)(2)).

NOTE - An FPCA may be submitted by in-person delivery by the voter in accordance with Section 84.008 of the Code or by common or contract carrier. Further, an application is considered submitted in the following calendar year if: 1) the applicant is eligible to vote in an election occurring in January or February of the next calendar year; and 2) the application is submitted in the last 60 days of a calendar year but not earlier than the 60th day before the date of the January or February election. (Sec. 101.052). For a full list of eligible FPCA voters. See Note 16.

NOTE: Be sure to check the list of registered voters for permanent registration status. Also, state law authorizes an FPCA to also serve as an application for **permanent registration**; therefore, the person might be permanently registered based on a prior FPCA. Even if the FPCA arrives too late for a particular election, the early voting clerk will still need to forward the original FPCA to the

county voter registrar, after making a copy for the early voting clerk's use (mailing ballots, etc.) and records unless the voter marked **"my intent to return is uncertain"** ([2019 form \(PDF\)](#)), or **"my return is uncertain"** 2017 form in which case it will not serve as a permanent registration. (Sec. 101.055; 1 T.A.C. § 81.40).

NOTE: Overseas (non-military) voters marking the FPCA **"my intent to return is uncertain"** ([2019 form \(PDF\)](#)), or **"my return is uncertain"** (2017 form) receive a federal ballot **only** regardless of the date filed. (Chapter 114). In a local election (where there is no federal office on the ballot), this means there is **no ballot to send the voter**.

Last day to publish [notice \(PDF\)](#) of L&A test for DRE voting machines or precinct scanners if test will be held on Tuesday, April 16, 2024, if testing has not already completed by Tuesday, March 19, 2024. Notice of the public L&A Test must be published at least 48 hours before the test begins. (Secs. 129.001, 129.023). [See Note 14](#) above.

Monday, April 15, 2024 – Tuesday, April 23, 2024 (19th day before election day – 11th day before election day)

A person submitting an [FPCA \(PDF\)](#) during this period who is **not** registered to vote is not entitled to receive a ballot for any non-federal election held on Saturday, May 4, 2024. This means that a person submitting an FPCA during this period is entitled to receive a federal ballot only, if not already a permanent registered voter. (Secs. 101.052(f), 114.002, 114.004). In a local election (where there is no federal office on the ballot), this means there is **no ballot to send the voter**.

The early voting clerk is required to maintain a copy of this application since it may be used for other elections and forward the original to the voter registrar. Also see [entry](#) below under Friday, April 19, 2024 (FPCA without a postmark). (Secs. 84.007, 101.052(e), (f)).

NOTE - Be sure to check the list of registered voters for permanent registration status. Also, state law authorizes an FPCA to also serve as an application for **permanent registration**; therefore, the person might be permanently registered based on a prior FPCA. Even if the FPCA arrives too late for a particular election, the early voting clerk will still need to forward the original FPCA to the county voter registrar, after making a copy for the early voting clerk's use (mailing ballots, etc.) and records unless the voter marked **"my intent to return is uncertain"** ([2019 form \(PDF\)](#)), or **"my return is uncertain"** (2017 form), in which case it will not serve as a permanent registration. (Sec. 101.055; 1 T.A.C. § 81.40).

NOTE - **Overseas (non-military) voters** marking the FPCA **"my intent to return is uncertain"** ([2019 form \(PDF\)](#)), or **"my return is uncertain"** (2017 form), receive a federal ballot **only** regardless of the date filed. (Chapter 114). In a local (non-federal) election, this means there is **no ballot to send the voter**.

Tuesday, April 16, 2024 (18th day before election day)

Last day to conduct public L&A test of a voting system that uses DRE voting machines or precinct scanners. We highly **recommend** that this test is done on an earlier date to allow time for corrections to programming, if necessary. (See Note 14, above). Per Section 129.023, the L&A test shall be conducted not later than 48 hours before voting begins on such voting systems, assuming that the voting system will first be used for early voting in person. See Tex. Sec’y of State Election Advisory No. 2019-23. For more information on hash validation procedures, see Tex. Sec’y of State Election Advisory No. 2022-30.

Wednesday, April 17, 2024 (17th day before election day)

Last day to publish notice of L&A test for voting systems or precinct scanners if test will be held on Friday, April 19, 2024, if testing was not already completed by March 19, 2024. Notice of the public L&A Test must be published at least 48 hours before the test begins. (Secs. 129.001, 129.023). See Note 14, above.

NOTE - If logic and accuracy testing is being conducted for an election in which a county election board has been established under Section 51.002 of the Texas Election Code, the general custodian of election records shall notify each member of the board of the test at least 48 hours before the date of the test. If the county election board chooses to witness the test, each member shall sign the statement required for logic and accuracy testing. (Sec. 129.023(b-2)).

Last day to post notice (PDF) of places, days, and hours for voting at branch early voting polling place if voting is to begin at that location on the first day of early voting in person. The schedule may be amended after the beginning of early voting by personal appearance to include notice of additional branch locations, but any amendment must be made and posted not later than the fifth day before voting begins at the additional temporary branch. (Secs. 85.062, 85.067(c), (d)).

NOTE: Section 85.062 provides that the location of temporary branch polling places in an election in which countywide polling places are used must be determined with the same methodology that is used for the location of countywide polling places.

Friday, April 19, 2024 (15th day before election day)

Deadline to receive an FPCA **without** a postmark. If an FPCA is received by this date **without** a postmark to prove mailing date, the early voting clerk will accept the FPCA and mail the applicant a full ballot even if the applicant is **not** a permanently registered voter but meets the requirements under Title 2 of the Election Code (unless the voter marks the FPCA form indicating “**my intent to return is uncertain**” (2019 form (PDF)), or “**my return is uncertain**” (2017 form), in which case the voter receives a federal-only ballot). (Sec. 101.052(i)). See Note under entry for Monday, April 15, 2024.

Last day to conduct public L&A test of a voting system or precinct scanner. We highly **recommend** that this test is done on an earlier date to allow time for corrections to programming, if necessary. (See Note 14, above). Per Section 129.023, the L&A test shall be conducted not later than 48 hours before voting begins on such voting systems, assuming that the voting system will first be used for early voting in person.

NOTE - The general custodian of election records is required to demonstrate, using a representative sample of voting system equipment, that the source code of the equipment has not been altered. (Sec. 129.023(c-1)). See Tex. Sec'y of State Election Advisory No. 2019-23 and Tex. Sec'y of State Election Advisory No. 2022-30 for more information on hash validation and voting system procedures.

Last day to notify election judges of duty to hold election (Writ of Election (PDF)). Notice must be given by the 15th day before the election or the 7th day after the day the election is ordered, whichever is later. The Writ of Election must be given to each presiding judge and include:

1. The judge's duty to hold the election;
2. The type and date of election;
3. The polling place location at which the judge will serve;
4. The polling place hours; and
5. The maximum number of clerks the judge may appoint. (Sec. 4.007).

Sunday, April 21, 2024 (San Jacinto Day)

Monday, April 22, 2024 (12th day before election day; day before the last day to apply for a ballot by mail)

First day to vote early in person. (Sec. 85.001(e)).

NOTE – Voting by limited ballot must be done during the early voting period at the main early voting polling place (or by mail). (Sec. 112.002(a)).

NOTE - Political Subdivisions: Early voting in person must be conducted at least nine (9) hours each weekday that is not a legal state holiday unless the political subdivision has fewer than 1,000 registered voters, in which case early voting in person must be conducted at least four (4) hours per day. (Sec. 85.005(b)). This rule only applies to the main early voting location.

NOTE - Cities are **not** required to choose two weekdays for the main early voting polling place location to be open for at least 12 hours during the regular early voting period. (Sec. 85.005).

NOTE – Independent School Districts: Despite the change in state law that allows an ISD to be closed on school holidays during the mandatory office hours period, you are **required to be open** during the entire early voting period, except on legal state and national holidays.

NOTE - Joint Elections: If entities are conducting early voting by personal appearance jointly, we *recommend* a unified schedule covering all requirements; i.e., no entity's requirements should be neglected or subtracted as a result of a joint agreement. See Note 7 regarding joint elections generally.

NOTE - Section 61.002 provides that immediately before the opening of the polls during early voting, the presiding judge or alternate judge shall confirm that the public counters on each voting machine are set to zero and shall print the tape that shows that there are zero votes for each candidate or measure on the ballot.

NOTE - NEW LAW: SB 1599 (2023, R.S) amended Section 87.0222 of the Code, effective September 1, 2023, to provide that not later than the ninth day before election day, the jacket envelopes containing early voting ballots voted by mail **MUST** be delivered to the early voting ballot board. **This requirement applies regardless of the county's population size.** Any jacket envelopes of early voting ballots voted by mail returned after delivery of the ballots to the early voting ballot board may be delivered to the presiding judge of the early voting ballot board between the end of the ninth day before election day and the closing of the polls on election day, or as soon after closing as practicable, at the time or times specified by the presiding judge. The early voting clerk shall post notice of each delivery of balloting materials that is to be made before the time for opening the polls on election day. The notice must be posted at the main early voting polling place continuously for at least 24 hours immediately preceding the delivery.

Please note that the mail ballots may not be counted until (i) the polls open on election day, or (ii) in an election conducted by an authority of a county with a population of 100,000 or more or entities that are having joint elections with such a county or who are conducting their election with such a county through a contract for election services, the end of the period for early voting in person. (Secs. 87.0222, 87.0241). **NOTE: Results may not be released until the polls close on election day.**

Early Voting Ballot Board Actions for Defective Carrier Envelopes: SB 1599 amended Section 87.0411 of the Code to provide that not later than the second day after the early voting ballot board discovers a defect(s) in a carrier envelope as described under Section 87.0411(a) of the Code and before the board decides whether to accept or reject a timely delivered ballot under Section 87.041, the early voting ballot board must send the voter a notice of the defect and a corrective action form developed under Section 87.0411(c-1) by mail or by common or contract carrier. The early voting ballot board must include with the notice delivered to the voter: (1) a brief explanation of each defect in the noncomplying ballot; and (2) notice that the voter may either cancel the voter's application to vote by mail in the manner described by Section 84.032, correct the defect in the voter's ballot by submitting a corrective action form by mail or by common or contract carrier, make the correction using the Secretary of State's online Ballot by Mail Tracker, if possible, or come to the early voting clerk's office in person not later than the sixth day after election day to correct the defect(s).

NOTE – For more information on corrective action, see Note 17 and Tex. Sec’y of State Election Advisory No. 2023-13.

NOTE – If a county with a population of 100,000 or more is conducting an election through a contract for election services for a political subdivision in May of an even-numbered year, the county’s ballot board timeframes apply to the election. (Secs. 87.0222, 87.0241).

NOTE – The county clerk/elections administrator must ensure that photocopies or scanned images of annual applications for ballot by mail have been delivered to the early voting clerk of every political subdivision holding an election before the ballots by mail are delivered to the early voting ballot board.

A voter who becomes sick or disabled on or after Monday, April 22, 2024 may submit an application for a late ballot if the sickness or physical condition prevents the voter from appearing at the polling place without the likelihood of needing personal assistance or of injuring his or her health. (Sec. 102.001). See Application for Emergency Early Voting Ballot Due to Sickness or Physical Disability (PDF). An application may be submitted after the last day of the period for early voting by personal appearance and before 5:00 PM on Election Day. (Sec. 102.003).

Tuesday, April 23, 2024 (11th day before election day)

Last day to receive an FPCA (PDF) from a registered voter. If the voter is **not** registered in the county (and/or marked intent to return “not certain”), **the voter is still eligible for a ballot containing federal offices only**. In a local (non-federal) election, this means there is **no ballot** to send the voter. (Secs. 101.052(b), (f), 114.004(c)).

Last day for early voting clerk to receive applications for a ballot to be voted by mail. (Sec. 84.007(c)). All applications to vote by mail must be received by the early voting clerk before the close of regular business or 12 noon, **whichever is later**. Applications to vote by mail must be submitted by mail, common or contract carrier, fax (if a fax machine is available in the office of the early voting clerk), or by electronic submission of a scanned application with an original signature. The early voting clerk’s designated email address must be posted on the Secretary of State’s website.

If an ABBM is faxed or emailed or if an FPCA is faxed, then the applicant must submit the ORIGINAL application BY MAIL to the early voting clerk so that the early voting clerk **receives the original no later than the 4th business day after receiving the emailed or faxed ABBM or faxed FPCA**. If the early voting clerk does not receive the original ABBM or FPCA by that deadline, then the emailed or faxed ABBM or faxed FPCA will be considered incomplete, and the early voting clerk may NOT send the applicant a ballot. The requirement to mail the original application does not apply to an **emailed** FPCA. For additional information on this law, please see Note 16, above.

An applicant for a ballot to be voted by mail (ABBM or FPCA) may submit their application by delivering it in person to the early voting clerk if the application is submitted not later than the close of regular business in the clerk's office on Tuesday, April 23, 2024. (Sec. 84.008).

NOTE - An FPCA may be submitted by in-person delivery by the voter in accordance with Section 84.008 of the Code or by common or contract carrier. Further, an application is considered submitted in the following calendar year if: 1) the applicant is eligible to vote in an election occurring in January or February of the next calendar year; and 2) the application is submitted in the last 60 days of a calendar year but not earlier than the 60th day before the date of the January or February election. (Sec. 101.052). For a full list of eligible FPCA voters, see Note 16.

NOTE - Section 84.008 of the Code provides that an applicant for a ballot to be voted by mail may submit the application by delivering it in person to the early voting clerk if the application is submitted not later than the deadline provided by Section 84.007(c) of the Code. This means that voters may personally deliver their ABBM or FPCA to the early voting clerk not later than the close of regular business in the early voting clerk's office or 12 noon, whichever is later, on the 11th day before election day (unless that day is a Saturday, Sunday, or legal state or national holiday, in which case the last day is the first preceding regular business day).

NOTE - NEW LAW: SB 1599 (2023, R.S.) amended Section 86.008 of the Code, effective September 1, 2023, to require that if the early voting clerk determines that it would not be possible for the applicant to correct certain defects in a mail ballot application and return an application form by mail before the deadline, the clerk may notify the applicant by telephone or e-mail of the defect, and inform the applicant that the applicant may come to the early voting clerk's office before the deadline and correct the defect in person. The clerk shall notify the applicant of a defect discovered and provide the information required to permit the applicant to correct the defect using the Secretary of State's online Ballot by Mail Tracker, if possible. See Note 17.

Note for Counties: Last day for county clerk/elections administrator to deliver final list of voters that have submitted an annual application for ballot by mail to political subdivisions located within the county holding an election on May 4, 2024, for which the county clerk/elections administrator is not the early voting clerk via a joint election agreement or contract for election services. (Sec. 86.0015(c)).

NOTE for Counties: Deadline to file a petition to require the early voting clerk to conduct extended early voting on Saturday, April 27, 2024. [Request for Additional Early Voting on Saturday or Sunday for County or City Elections \(PDF\)](#), [Request for Additional Early Voting on Saturday or Sunday for Other Political Subdivision Elections \(PDF\)](#).

[Notice of weekend voting \(PDF\)](#) must be posted beginning no later than Wednesday, April 24, 2024, and continuing through Friday, April 26, 2024. (Secs. 85.006(d), 85.007(c)).

Wednesday, April 24, 2024 (10th day before election day)

Last day of period during which notice of election must be published if method of giving notice is **not** specified by a law outside the Election Code and **publication** is the selected method of giving notice. (Sec. 4.003(a)(1)). The notice of election ordered by a county authority or by an authority of a city or school district must be given by publication in a newspaper, in addition to any other method specified. (Sec. 4.003(c), (d)).

NOTE: The election notice shall be posted on the political subdivision's website, if the political subdivision maintains a website.

Last day to mail a copy of the notice of election to each registered voter of the territory that is covered by the election and is in the jurisdiction of the authority responsible for giving notice **if method of giving notice is not specified by a law outside the Election Code** and this method of giving notice is selected. (Sec. 4.003(a)(3)).

All Political Subdivisions: Voting on **ANY** Saturday or Sunday must be included in the order and notice of election. The order and notice must include the dates and hours of Saturday or Sunday voting. (Secs. 85.006, 85.007). The political subdivision must have early voting on Saturday or Sunday, *if* a written request is received from at least 15 registered voters of the political subdivision prior to the election being ordered. (Sec. 85.006(d)). [Request for Additional Early Voting on Saturday or Sunday for County or City Elections \(PDF\)](#), [Request for Additional Early Voting on Saturday or Sunday for Other Political Subdivision Elections \(PDF\)](#). The election notice must be posted on the political subdivision's website, if the political subdivision maintains a website. (Sec. 85.007).

NOTE for Cities: In an election in which a city secretary is the early voting clerk, voting on any Saturday or Sunday **must** be included in the order and notice of election. City secretaries no longer have the authority to order Saturday or Sunday early voting 72 hours immediately preceding the first hour that voting will be conducted. However, the city **must** have early voting on Saturday or Sunday, *if* a written request is received from at least 15 registered voters of the political subdivision prior to the election being ordered. (Secs. 85.006, 85.007). [Request for Additional Early Voting on Saturday or Sunday for County or City Elections \(PDF\)](#).

Thursday, April 25, 2024 (9th day before election day)

NOTE - NEW LAW: SB 1599 (2023, R.S) amended Section 87.0222 of the Code, effective September 1, 2023, to provide that not later than the ninth day before election day, the jacket envelopes containing early voting ballots voted by mail **MUST** be delivered to the early voting ballot board. **This requirement applies regardless of the county's population size.** Any jacket envelopes of early voting ballots voted by mail returned after delivery of the ballots to the early voting ballot board may be delivered to the presiding judge of the early voting ballot board between the end of the ninth day before election day and the closing of the polls on election day,

or as soon after closing as practicable, at the time or times specified by the presiding judge. The early voting clerk shall post notice of each delivery of balloting materials that is to be made before the time for opening the polls on election day. The notice must be posted at the main early voting polling place continuously for at least 24 hours immediately preceding the delivery.

NOTE - The early voting ballot board has to meet by this deadline, regardless of whether carrier envelopes have been received by this date.

NOTE - The EVBB can meet as soon as the county has received voted ballots by mail from voters and those materials are delivered to the ballot board. The ballot board does not have to wait until this ninth-day deadline to meet.

Monday, April 29, 2024 (5th day before election day, day before last day of early voting, 4th business day after the deadline to apply for a ballot by mail)

A voter is eligible to vote a late ballot if they will be out of the county of residence on election day due to a death in the immediate family (related within 2nd degree of consanguinity or affinity) that occurs on or after this day. The voter may submit the [Application for Emergency Early Ballot Due to Death in Family \(PDF\)](#) starting Wednesday, May 1, 2024 (the day after early voting in person ends). (Secs. 103.001, 103.003(b)). An application may be submitted after the last day of the period for early voting by personal appearance and before the close of business on the day before election day. (Sec. 103.003).

Deadline for the early voting clerk to receive, by mail, the original of an ABBM that was faxed or emailed or an FPCA that was faxed on the deadline to apply for a ballot by mail, Tuesday, April 23, 2024.

A voter who faxed or emailed their ABBM or faxed their FPCA must mail the original to the early voting clerk so that the early voting clerk **receives the original no later than the 4th business day after receiving the emailed or faxed ABBM or faxed FPCA**. For more information, see the [entry](#) under Tuesday, April 23, 2024 and [Note 16](#).

Last day to publish notice of public test of automatic tabulating equipment, if test will be held on Wednesday, May 1, 2024, and testing was not already completed. The public notice of the test of automatic tabulating equipment must be published at least 48 hours before the test begins. (Sec. 127.096). See [Note 14](#).

Tuesday, April 30, 2024 (4th day before election day)

Last day to vote early by personal appearance. (Sec. 85.001(e)).

Deadline to submit a [Request for Election Inspectors \(PDF\)](#) for election day, Saturday, May 4, 2024 to the Secretary of State. (Sec. 34.001).

Early voting clerk must post Notice of Delivery of Early Voting Balloting Materials (PDF) to the early voting ballot board if materials are to be delivered to the board on Wednesday, May 1, 2024. Notice must be posted continuously for 24 hours preceding each delivery to the board. (Secs. 87.0221, 87.0222, 87.023, 87.024, 87.0241).

The Notice of Delivery of Early Voting Balloting Materials serves as notice of the convening of the early voting ballot board. Your entity should also post notice every time the early voting ballot board reconvenes.

Entities Contracting with Counties that have a Population of 100,000 or More:

After the polls close at the end of early voting by personal appearance, counties with a population of 100,000 or more (or local subdivisions conducting a joint election with such a county or conducting an election through a contract for election services with such a county) may convene their early voting ballot board and begin **counting** ballots; **however, the results may not be announced until after the polls close.** (Secs. 87.0222, 87.0241).

NOTE - If a county with a population of 100,000 or more (or a local subdivision conducting a joint election with such a county or conducting an election through a contract for election services with such a county) is convening their early voting ballot board early to begin **counting** ballots, the test of the tabulation equipment will need to be completed at least 48 hours before the equipment is used to count ballots. (Secs. 87.0222, 87.0241, 127.096).

Entities Contracting with Counties that have a Population of Less than 100,000:

Counties may begin convening their early voting ballot board as the county has received voted ballots by mail from voters and those materials are delivered to the ballot board, **but cannot begin counting the ballots until the polls open on election day.** The early voting clerk shall continuously post notice for 24 hours preceding each delivery of voting materials that is to be made before the time for opening the polls on election day. (Secs. 87.0221, 87.023, 87.024, 87.0241). See Notice of Delivery of Early Voting Balloting Materials.

NOTE - The county elections officer must ensure that photocopies or electronic recordings of annual applications for ballot by mail have been delivered to the early voting clerk of every political subdivision holding an election before the ballots by mail are delivered to the early voting ballot board.

NOTE - NEW LAW - Early Voting Ballot Board Actions for a Defective Carrier Envelope: SB 1599 (2023, R.S.) amended Section 87.0411 of the Code, effective September 1, 2023, to provide that not later than the second day after the early voting ballot board discovers a defect(s) in a carrier envelope as described by Section 87.0411(a) of the Code and before the board decides whether to accept or reject a timely delivered ballot under Section 87.041, the board must send the voter

a notice of the defect and a corrective action form developed under Section 87.0411(c-1) by mail or by common or contract carrier. The early voting ballot board must include with the notice delivered to the voter: (1) a brief explanation of each defect in the noncomplying ballot; and (2) notice that the voter may either cancel the voter's application to vote by mail in the manner described by Section 84.032, correct the defect in the voter's ballot by submitting a corrective action form by mail or by common or contract carrier, make the correction using the Secretary of State's online Ballot by Mail Tracker, if possible, or come to the early voting clerk's office in person not later than the sixth day after election day to correct the defect(s). For more information on corrective action, see [Note 17](#) and [Tex. Sec'y of State Election Advisory No. 2023-13](#).

May

Wednesday, May 1, 2024 (3rd day before election day; day after early voting in person ends)

First day to submit an [Application for Emergency Early Ballot Due to Death in Family \(PDF\)](#) to vote a late ballot because of a death in the immediate family that occurred on or after April 29, 2024, and will require absence from the county on election day. (Secs. 103.001, 103.003(b)).

Last day to conduct public test of automatic tabulation equipment. Per Section 127.093, the test shall be conducted at least 48 hours before the automatic tabulating equipment is used to count ballots voted in an election and was not previously tested. We highly *recommend* that this test is done on an earlier date to allow time for corrections to programming, if necessary. (See [Note 14](#), above).

Friday, May 3, 2024 (day before election day)

Last day to submit an [Application for Emergency Early Ballot Due to Death in Family \(PDF\)](#). The application must be submitted by the close of business on this day. (Sec. 103.003(b)).

Last day for early voting clerk to mark the precinct list of registered voters with a notation beside each name of voter who voted early, and deliver list to election judges. The early voting clerk must also deliver the precinct early voting list. (Sec. 87.122). This may be delivered electronically if your county is using an e-pollbook.

Delivery of Provisional Ballots and Forms: If the voter registrar wants to take possession of the provisional ballots and forms on election night, the voter registrar must inform the custodian of the election records and post a [Notice of Election Night Transfer \(PDF\)](#) no later than Friday, May 3, 2024, 24 hours before election day. (1 T.A.C. § 81.174(d)(3)). However, under this type of delivery, the county voter registrar **must** go to the office of the custodian of election records and pick up the provisional ballots and forms.

NOTE: The general custodian of election records (or the early voting clerk, if applicable) must also post a Notice of Delivery of Provisional Ballots (PDF) at least 24 hours before delivery will occur. (1 T.A.C. § 81.174(b)(1)).

NOTE FOR MAY 3, 2025 ELECTION: Chapter 2051 of the Government Code requires any political subdivision with the authority to impose a tax that maintained a publicly available Internet website at any time on or after January 1, 2019, to post on that website the requirements and deadline for filing for candidacy of each elected office of the political subdivision continuously for one year before the election day for that office. See Tex. Sec’y of State Election Advisory No. 2019-19.

Saturday, May 4, 2024 (Election Day)

<p>7:00 AM – 7:00 PM</p>	<p>Polls open. (Sec. 41.031).</p> <p>Voter registrar’s office is open. (Sec. 12.004(c)).</p> <p>Early voting clerk’s office is open for early voting activities. (Sec. 83.011). A voter may deliver a marked ballot by mail to the early voting clerk’s office while the polls are open on election day. The voter must provide an acceptable form of identification under Section 63.0101 upon delivery. The identification procedure is the same as that used for personal appearance voting. (Secs. 63.0101, 86.006).</p>
<p>5:00 PM</p>	<p>Deadline for receiving <u>Application for Emergency Early Voting Ballot Due to Sickness or Physical Disability</u> for late ballots to be voted by persons who became sick or disabled on or after Monday, April 22, 2024. (Sec. 102.003(b)).</p>
<p>7:00 PM</p>	<p>Regular deadline for receiving early voting ballots by mail. BUT see entry for Monday, May 6, 2024 on “late domestic ballots,” entry for Thursday, May 9, 2024, and entry for Friday, May 10, 2024 on other “late” ballots.</p> <p>This is also the deadline for receiving late ballots cast by voters who became sick or disabled on or after Monday, April 22, 2024. (Secs. 86.007(a), 102.006(c)).</p>

NOTE - Section 61.002 provides that immediately before the opening of the polls on election day, the presiding judge or alternate judge shall confirm that the public counters on each voting machine are set to zero and shall print the tape that shows that there are zero votes for each candidate or measure on the ballot. Immediately after the closing of the polls on election day, the presiding judge or alternate judge shall print the tape to show the number of votes cast for

each candidate or measure. Each election judge and alternate judge shall sign the printed tapes. (Sec. 61.002).

NOTE - The presiding judge of the central counting station must provide and attest to a written reconciliation (PDF) of votes and voters at the close of tabulation for election day and again after the central counting station meets for the last time to process late-arriving ballots by mail and provisional ballots. (Sec. 127.131). Preliminary Election Reconciliation (PDF) – Unofficial Totals form (Election Day). Election Reconciliation Form (PDF) – Official Results (Canvass Form). See Note on Reconciliation.

NOTE: Receipt of Mail Ballots: All early voting ballots sent by mail from inside the United States that are received by 7:00 PM on election day, May 4, 2024, **must be counted on election night**. If the carrier envelope does not bear a cancellation mark or a receipt mark, the ballot must arrive before the time the polls are required to close **on election day**. (Sec. 86.007(a)(1)). If the early voting clerk cannot determine whether a ballot arrived before that deadline, the ballot is considered to have arrived at the time the place at which the carrier envelopes are deposited was last inspected for removal of returned ballots. (Sec. 86.007(b)). The early voting clerk **must** check the mailbox for early voting mail ballots at least once after the time for regular mail delivery. (Sec. 86.007(b)).

NOTE: An early voting mail ballot that is not received by 7:00 pm on election day may not be counted unless the ballot may be counted late, which applies to late domestic ballots (Sec. 86.007(a)(2)), ballots mailed from outside the United States (Sec. 86.007(d)), and ballots from members of the armed forces and merchant marine of the United States, Texas National Guard or the National Guard of another state or members of the Reserves, as well as their spouses and dependents (Sec. 101.057). See entry for Monday, May 6, 2024 on “late domestic ballots,” entry for Thursday, May 9, 2024, and entry for Friday, May 10, 2024 on other “late” ballots. See Tex. Sec’y of State Election Advisory No. 2018-02.

NOTE - Delivery of Early Voting by Personal Appearance and Mail Ballots: The early voting clerk delivers the voted ballots, the key to the double-locked ballot box, etc., to the early voting ballot board at the time or times specified by the presiding judge of the early voting ballot board, during the hours the polls are open or as soon after the polls close as practicable. (Secs. 87.021, 87.022). The custodian of the key to the second lock of the double-locked early voting ballot box delivers his or her key to the presiding judge of the early voting ballot board on request of the presiding judge. (Secs. 85.032(d), 87.025). The custodian is the sheriff for county elections; the chief of police or city marshal for city elections; and the constable of the justice precinct in which the political subdivision’s main office is located (or the sheriff, if there is no constable), for other political subdivision elections. (Sec. 66.060). If ballots are to be delivered before election day, the early voting clerk must post notice (PDF) at least 24 hours before each delivery at the main early voting polling place. Tex. Sec’y of State Election Advisory No. 2022-10.

Note on Delivery of Early Voting Ballots to Early Voting Ballot Board Before Election Day - Any jacket envelopes of early voting ballots voted by mail returned after delivery of the ballots to the early voting ballot board may be delivered to the presiding judge of the early voting ballot board between the end of the ninth day before election day and the closing of the polls on election day, or as soon after closing as practicable, at the time or times specified by the presiding judge. Mail ballots may be qualified and processed (signatures verified, carrier envelopes opened, and the secrecy envelope containing the ballot placed in a secure location), but they may not be counted until election day. (Secs. 87.0221, 87.0222, 87.023, 87.024, 87.0241). If ballots are to be delivered before election day, the early voting clerk must post [notice \(PDF\)](#) at least 24 hours before each delivery at the main early voting polling place.

Exception: Entities that are having joint elections with counties with a population of 100,000 or more or who are conducting an election through a contract for election services with such a county, may begin counting ballots no earlier than the end of the period for early voting by personal appearance; the results may not be released until the polls close on election day. (Secs. 87.0221, 87.0222, 87.023, 87.024, 87.0241(b), 87.042). If ballots are to be delivered before Election Day, the early voting clerk must post [notice \(PDF\)](#) at least 24 hours before each delivery at the main early voting polling place. (Secs. 87.0221, 87.0222, 87.023, 87.024, 87.0241(b), 87.042).

NOTE - Section 127.1232 provides that in counties with a population of 100,000 or more, the general custodian of election records shall implement a video surveillance system that retains a record of all areas containing voted ballots: (1) from the time the voted ballots are delivered to the central counting station until the canvass of the precinct election returns; and (2) from the time the voted ballots are delivered to the signature verification committee or early voting ballot board until the canvass of precinct election returns. Video from the surveillance system shall be made available to the public by live stream. The recorded video is considered an election record and shall be retained by the general custodian until the end of the calendar year in which an election is held or until an election contest filed in the county has been resolved, whichever is later. (Sec. 127.1232). [Tex. Sec'y of State Election Advisory No. 2022-10](#).

NOTE: Manual Examination of Ballots Before Processing on Automatic Counting Equipment: The central counting station manager shall direct the manual examination of all electronic voting system ballots to ascertain whether the ballots can be processed in the usual manner or if the ballots need to be duplicated to clearly reflect the voter's intent. (Sec. 127.125).

NOTE: Testing of Tabulating Equipment: The second test of automatic tabulating equipment used for counting ballots at a central counting station must be conducted immediately before the counting of ballots with equipment begins. The third test must be conducted immediately after the counting is completed. (Secs. 127.093, 127.097, 127.098).

Transfer of Provisional Ballots to Voter Registrar Election Night: The county voter registrar may take possession of the ballot box(es) or transfer case(s) containing the provisional ballots (or

provisional ballot affidavits when DRE systems are used) on election night (instead of on the next business day) by informing the custodian of election records and posting a notice of such election night transfer no later than 24 hours before election day. Under this type of delivery, the voter registrar must go to the office of the custodian and pick up the ballot box(es) or transfer case(s) and associated forms. (Sec. 65.052; 1 T.A.C. §§ 81.172 – 81.174 & 81.176). See [Verification of Provisional Ballots and Serial Numbers \(PDF\)](#).

After the polling place is officially closed and the last person has voted, the presiding judge may from time to time make an unofficial announcement of the total number of votes counted for each candidate and/or for or against each proposition in the order that they appear on the ballot. (Sec. 65.015(a)). The announcement shall be made at the entrance to the polling place. (Sec. 65.015(c)).

NOTE: The authority conducting the election may require or prohibit such announcements. (Sec. 65.015(b)). Unofficial election results must be released by the central counting station as soon as they are available after the polls close, but the presiding judge of the central counting station, in cooperation with the county election officer, may choose to withhold the release of vote totals until the last voter has voted. (Sec. 127.1311).

NOTE: Precinct election returns are delivered to the appropriate authorities after completion. (Secs. 66.053(a), 127.065, 127.066, 127.067).

Last day to post notice of governing authority's meeting to canvass returns of election if canvass is to take place on Tuesday, May 7, 2024 (3rd day after election). (Sec. 67.003(b)). This notice must be posted at least 72 hours before the scheduled time of the meeting. (Secs. 551.002, 551.041, 551.043, Texas Government Code).

NOTE - Section 67.003 provides that, except as provided by Section 67.003(c), each local canvassing authority shall convene to conduct the local canvass at the time set by the canvassing authority's presiding officer not later than the 11th day after election day and not earlier than the later of:

1. the **third day after election day**;
2. the date on which the early voting ballot board has verified and counted all provisional ballots, if a provisional ballot has been cast in the election; or
3. the date on which all timely received ballots cast from addresses outside of the United States are counted, if a ballot to be voted by mail in the election was provided to a person outside of the United States; or
4. ballots contained in defective carriers timely corrected by voters.

Counties, Cities, and School Districts: Section 65.016 of the Code provides for election results information which must be posted on county, city, and school district websites. A county that

provides election services for an election for a public entity must post certain information regarding election results on their website after the election. A city or independent school district that holds an election and maintains an Internet website must also post certain information on their website related to election results, even if the county is also posting. All entities must post the required information **as soon as practicable after the election**. The required information includes:

1. the results of each election;
2. the total number of votes cast;
3. the total number of votes cast for each candidate or for or against each measure;
4. the total number of votes cast by personal appearance on election day;
5. the total number of votes cast by personal appearance or mail during the early voting period; and
6. the total number of counted and uncounted provisional ballots cast. (Sec. 65.016).

We recommend that election results information remain posted on the entity's main page (or within two clicks of the main page) at least until the next election, and that the information continues to be available for the full 22-month retention period for election records. Entities may choose to make older election results information available on their website. See [Note 3](#).

Counties with a Population of 250,000 or more: Per Section 127.009 of the Election Code, counties with a population of 250,000 or more must forward a copy of the audit logs from the central counting station to the Secretary of State no later than the fifth day after voting is completed. The information may be forwarded to the Secretary of State by email, use of a thumb drive, or by mail.

Monday, May 6, 2024 (1st business day after election day)

5:00 PM – Deadline to receive “**late domestic ballots**” mailed **within** the United States from **non-military voters and from any military voters** who submitted an **Application for Ballot by Mail** (“**ABBM**”) (**not** a Federal Postcard Application – “**FPCA**”), if the carrier envelope was placed for delivery by mail or common or contract carrier **AND** bears a cancellation mark of a postal service or a receipt mark of a common or contract carrier or a courier indicating a time not later than **7:00 PM** at the location of the election on election day, May 4, 2024. (Secs. 86.007, 101.057 and 101.001). A late domestic ballot cannot be counted if it does not bear a cancellation mark or a receipt mark.

NOTE: Because of the deadline to receive “late domestic ballots,” it is imperative that you check your mail at 5:00 PM.

NOTE: Section 86.007 provides that a marked ballot voted by mail that a voter received due to submitting an ABBM may arrive at the address on the carrier envelope not later than 5:00 PM on

the day **after** election day, if the carrier envelope was placed for delivery by mail or common or contract carrier from **within** the United States **and** bears a cancellation mark of a postal service or a receipt mark of a common or contract carrier or a courier from **not later than 7:00 PM** at the location of the election on election day.

NOTE: This deadline does **not** apply to ballots sent by non-military voters who are overseas but who applied for a ballot using an ABBM or FPCA; these voters have until the 5th day after election day to return their ballots (or the next business day if the 5th day falls on a weekend or legal state or federal holiday). This deadline also does **not** apply to ballots mailed (domestically or from overseas) by certain members of the military who applied for a ballot using an FPCA, as well as members of the Texas National Guard or the National Guard of another state, or members of the Reserves, as well as their **spouses and dependents**; those voters have until the 6th day after election day to return their ballots. See the **entry for Thursday, May 9, 2024, and the entry for Friday, May 10, 2024.**

Unless the county voter registrar has already taken possession of the provisional ballots prior to this date, the general custodian of election records must deliver the ballot box(es) or transfer case(s) containing the provisional ballots (or provisional ballot affidavits when DRE systems are used), along with the Summary of Provisional Ballots and the List of Provisional Voters for each precinct to the voter registrar by this day. The general custodian of election records makes this delivery to the voter registrar during the voter registrar office's regular business hours. (Secs. 65.052, 65.053; 1 T.A.C. §§ 81.172 – 81.174 & 81.176).

NOTE: Political Subdivisions Located in More than One County: A political subdivision will have to make delivery of the provisional ballots and forms to the county voter registrar in each county in which the political subdivision is located. (1 T.A.C. §§ 81.172 – 81.174).

NOTE: If the county voter registrar wants to take possession of the provisional ballots and forms on election night (Saturday, May 4, 2024), the county voter registrar must inform the custodian of the election records and post a notice of the transfer no later than 24 hours before Election Day. However, under this type of delivery, the county voter registrar **must** go to the office of the custodian of election records and pick up the provisional ballots and forms. Also, note that the county voter registrar may take possession of provisional ballots prior to election night if ballots are kept separate and may be provided without unlawful entry into ballot box. (1 T.A.C. §§ 81.172 – 81.174).

Tuesday, May 7, 2024 (3rd day after election day, 39th day before runoff election day)

Last day to begin the **partial manual count** for entities using electronic voting systems for the counting of ballots. This is the last day to **begin** manual recount of ballots in three precincts or one percent of precincts, whichever is greater. (Sec. 127.201(a), (g)). The count must be completed not later than the 21st day after election day. Results of the manual count must be delivered to Secretary of State not later than the 3rd day after the manual count is completed.

(Sec. 127.201(e)). No partial manual count needs to be done of ballots cast on DRE voting machines, but partial manual count must be completed for mail ballots. (Sec. 127.201(g)). For information on how to begin the partial manual count, please see Tex. Sec’y of State Election Advisory No. 2018-30.

The first possible day to conduct official local canvass of returns by governing authority of the political subdivision. However, the canvass may not be conducted until the ballot board has verified and counted **all** provisional ballots, if a provisional ballot has been cast in the election, **AND counted all timely received mailed domestic ballots cast from addresses within the United States, and all timely received mailed ballots cast from addresses outside the United States. (Secs. 67.003, 86.007)**. Notice of canvass must be posted at least 72 hours continuously before the canvass is conducted.

RUNOFF NOTE - A candidate in a runoff election may not withdraw from the election after 5 p.m. of the third day after the date of the final canvass for the main election. (Sec. 145.092).

RUNOFF NOTE - The runoff election can be ordered as soon as the canvass is completed. Therefore, May 7, 2024 is the first date a runoff election can be ordered. Our office **recommends** that a political subdivision order their runoff election as soon as the election has been canvassed.

NOTE - NEW LAW: HB 5180 (2023, R.S.) amended Section 1.012 of the Code, effective September 1, 2023, to provide that on the first day after the final canvass of an election is completed, the general custodian of election records shall make images of voted ballots and cast vote records available for public inspection. See Note 22.

NOTE: If a recount petition has been filed and a winning candidate’s race is involved in the recount, the certificate of election cannot be issued for that race until the recount has been completed. (Secs. 67.016, 212.0331).

Cities, Schools, and Other Political Subdivisions: First day that newly-elected local officers may qualify and assume the duties of their offices. Please note that the canvass must have been completed **before** an officer can assume office. (Sec. 67.016). If a political subdivision was able to **cancel** its election, this is the first day its elected officials can be issued a certificate of election and take the oath of office. (Secs. 2.053(e), 67.003, 67.016). For information on who can administer an oath, please see Chapter 602 of the Government Code.

NOTE: This does not apply to officers of a Type A general law city, who cannot qualify until the 6th day after election day. See entry on Friday, May 10, 2024.

Thursday, May 9, 2024 (5th day after election day)

Last day to receive ballots from **non-military and any military voters** casting ballots from **outside of the United States**, who submitted an **ABBM** (not an FPCA) **AND** who placed their ballots in delivery by 7:00 PM on election day, Saturday, May 4, 2024, as evidenced by a postal service cancellation mark or a receipt mark of a common or contract carrier or a courier. (Secs. 86.007, 101.057, 101.001). A late overseas ballot sent by a voter who applied for a ballot using an ABBM (not a military FPCA) **cannot be counted** if it does **not** bear a cancellation mark or a receipt mark. (Sec. 86.007(c), (e), (f)). For military voters casting ballots who submitted an FPCA, please See entry for Friday, May 10, 2024.

NOTE: Section 86.007 provides that a marked ballot voted by mail from **outside** of the United States by a voter who received the ballot due to submitting an ABBM is considered timely if it is received at the address on the carrier envelope not later than **the fifth day** after the date of the election. Further, the delivery is considered timely if the carrier envelope or, if applicable, the envelope containing the carrier envelope is properly addressed with postage or handling charges prepaid **and** bears a cancellation mark of a recognized postal service or a receipt mark of a common or contract carrier or a courier indicating a time **by 7:00 PM** on election day.

Last day to receive ballots from **non-military voters** casting ballots from **overseas**, who submitted an **FPCA, AND** who placed their ballots in delivery by 7:00 PM on election day, Saturday, May 4, 2024. (Sec. 86.007(d), (e)).

Friday, May 10, 2024 (6th day after election day)

NOTE - Last day a voter may come to the early voting clerk's office in person to correct certain defects on their carrier envelope. (Secs. 87.0271, 87.0411). See Note 17 and Tex. Sec'y of State Election Advisory No. 2023-13.

Deadline for ID related provisional voter to: (1) present acceptable photo identification to county voter registrar; or (2) if the voter does not possess and cannot reasonably obtain acceptable photo identification, follow the Reasonable Impediment Declaration procedure at the county voter registrar; or (3) execute an affidavit relative to "natural disaster" or "religious objection" in presence of county voter registrar, if applicable; or (4) qualify for the disability exemption, if applicable, with the county voter registrar. (Secs. 65.054, 65.0541).

Deadline for voter registrar to complete the review of provisional ballots. (1 T.A.C. § 81.175(a)(1)).

Last day to receive carrier envelopes mailed domestically (within the United States) OR overseas from voters who submitted a **FPCA AND** who are **members of the armed forces of the United States, or the spouse or a dependent of a member of the armed forces, members of the merchant marines of the United States, or the spouse or a dependent of a member of the merchant marine**, members of the Texas National Guard, or the spouse or a dependent of a member of the Texas National Guard, a member of the National Guard of another state, or the

spouse or a dependent of a member of the National Guard of another state, or members of the Reserves, or the spouse or a dependent of a member of the Reserves. (Secs. 101.057, 101.001).

NOTE - Section 101.057 provides that carrier envelopes mailed domestically or overseas from certain **military voters** (members of the armed forces of the United States, or the spouse or a dependent of a member of the armed forces, members of the merchant marines of the United States, or the spouse or a dependent of a member of the merchant marine, members of the Texas National Guard, or the spouse or a dependent of a member of the Texas National Guard, a member of the National Guard of another state, or the spouse or a dependent of a member of the National Guard of another state, or members of the Reserves, or the spouse or a dependent of a member of the Reserves) who submitted a **Federal Post Card Application (FPCA)** may arrive on or before the 6th day after election day. (Secs. 86.007, 101.057, 101.001).

NOTE: The carrier envelope or, if applicable, the envelope containing the carrier envelope sent by the military members listed above who applied to vote by mail using the FPCA does NOT need to bear a cancellation or receipt mark in order to be counted.

First day that newly elected officers of Type A general law city may qualify and assume duties of office (per Sec. 22.006, Local Government Code), but see **NOTE**, below.

NOTE: If a Type-A municipal officer-elect fails to qualify for office within 30 days after the date of the officer's election, the office is considered vacant. (Sec. 22.007, Local Government Code). See Monday, June 3, 2024 [entry](#).

Council members may take office anytime following the canvass. Section 22.006 of the Texas Local Government Code states that a newly-elected municipal officer of a Type A city may exercise the duties of office beginning the fifth day after the date of the election, excluding Sundays. However, **no newly elected official may qualify for office before the official canvass of the election has been conducted** (or would have been conducted, in the event of a cancelled election). Section 22.036 of the Texas Local Government Code further requires that the newly-elected governing body of the municipality "meet at the usual meeting place and shall be installed."

NOTE - If a recount petition has been filed and a winning candidate's race is involved in the recount, the certificate of election cannot be issued for that race until the recount has been completed. (Secs. 67.016, 212.0331).

Monday, May 13, 2024 (9th day after election day)

Deadline for custodian of election records or presiding judge of the early voting ballot board to retrieve provisional ballots from county voter registrar. (Sec. 65.051(a)).

Last day for **early voting ballot board** to convene to qualify and count:

1. any late **domestic** ballots (from non-military and from any military voters who submitted an ABBM)) that bear a cancellation mark or receipt mark indicating they were placed for delivery by mail or common or contract carrier not later than 7:00 PM on election day, May 4, 2024, and were received not later than 5:00 PM on the first business day after election day, Monday, May 6, 2024. (Secs. 86.007(a) & (d-1), 87.125(a)).
2. any late ballots that were submitted from outside the United States by voters who applied for the ballot using an ABBM or by non-military voters who applied for the ballot using an FPCA, and which were received by the 5th day after election day, Thursday, May 9, 2024. (Secs. 86.007(d), 87.125(a)).
3. any ballots received by the 6th day after election day, Friday, May 10, 2024, from voters who are members of the armed forces of the United States, or the spouse or a dependent of a member of the armed forces, members of the merchant marines of the United States, or the spouse or a dependent of a member of the merchant marine, members of the Texas National Guard, or the spouse or a dependent of a member of the Texas National Guard, a member of the National Guard of another state, or the spouse or a dependent of a member of the National Guard of another state, or members of the Reserves, or the spouse or a dependent of a member of the Reserves, and who applied for a ballot using an FPCA. (Secs. 101.057, 87.125(a)).
4. any provisional ballots that have been reviewed by the voter registrar. (Sec. 65.051(a)).
5. ballots contained in defective carrier envelopes corrected by voters. (Sec. 86.011(d)).

NOTE: Ballots that do not qualify under 1-3 above should be treated as ballots not timely returned and should not be delivered to the ballot board.

NOTE: If the early voting ballot board needs to meet after this date, it will require a court order to do so.

The time the board reconvenes is set by the presiding judge of the early voting ballot board. (Secs. 86.007(d), 87.125).

NOTE - Section 65.0581 provides that provisional voting records do not become public information until after the provisional ballots and other voting records have been delivered back to the custodian of election records. (Sec. 65.0581).

NOTE - The presiding judge of the central counting station shall provide and attest to a written reconciliation (PDF) of votes and voters at the close of tabulation for election day and again after the central counting station meets for the last time to process late-arriving ballots by mail and provisional ballots. (Sec. 127.131). See Note 18 on Reconciliation.

Tuesday, May 14, 2024 (10th day after election day)

The presiding judge of the EVBB shall mail a [Notice of Rejected Ballot \(PDF\)](#) to voters whose mail ballots were rejected no later than the 10th day after election day or as soon as practicable, depending on when the EVBB last convenes. (Sec. 87.0431).

Wednesday, May 15, 2024 (11th day after election day, 31st day before runoff election day)

Last day for official canvass of returns by the governing body of the political subdivision. (Sec. 67.003).

RUNOFF NOTE - A candidate in a runoff election may not withdraw from the election after 5 p.m. of the third day after the date of the final canvass for the main election. (Sec. 145.092).

RUNOFF NOTE - Our office **recommends** that once you have the canvass finalized, your entity should immediately order your runoff election if necessary, finalize your ballots preparation, and program your equipment as soon as possible.

NOTE - NEW LAW: HB 5180 (2023, R.S.) amended Section 1.012 of the Code, effective September 1, 2023, to provide that on the first day after the final canvass of an election is completed, the general custodian of election records shall make images of voted ballots and cast vote records available for public inspection. See [Note 22](#).

NOTE: If a recount petition has been filed and a winning candidate's race is involved in the recount, the certificate of election cannot be issued for that race until the recount has been completed. (Secs. 67.016, 212.0331).

Thursday, May 16, 2023 (30th day before runoff election day)

Last day to register to vote or make a change of address effective for the Saturday, June 15, 2024 election.

NOTE - A voter who submits a change of address after this date may still be eligible to return to his or her previous precinct to vote under "fail-safe" voting, if he or she still resides in the **same** county and the same local political subdivision, if applicable, conducting the election. If a voter has moved to a new county, then a voter can vote a limited ballot. Voting by a limited ballot is only available during the early voting period and **only** at the main early voting polling place (or by mail). (Secs. 15.025, 63.0011, 112.002).

NOTE - First day of period during which notice of elections must be published if a runoff election has been ordered, in a newspaper of general circulation **if method of giving notice is not specified by a law outside the Texas Election Code**, and this method of giving notice is selected.

The notice for elections ordered by a county authority or by an authority of a city or school district must be given by publication in a newspaper in addition to any other method specified by a law outside the Election Code. (Sec. 4.003(a)(1), (c), (d)). This notice may be combined with the other notices that are required to be published. The election notice shall be posted on the political subdivision's website.

NOTE - While this is the first date that notice of an election can be published in a newspaper of general circulation in the territory under Section 4.003(a)(1), an entity cannot publish notice until the election is ordered.

Cities, Schools, and Other Political Subdivisions: It is **strongly recommended** that the Notice of Voting Order Priority (PDF) for voters with mobility issues also be posted on the subdivision's website, if one is maintained by the political subdivision. (Secs. 63.0015, 85.007(d)). For more information on this requirement, see Note 15.

Counties: The **recommended** time to include this notice on a county website is when the notice of election is also posted on the website. (Secs. 63.0015, 85.007(d)).

NOTE - Notice of Previous Polling Place: If a different polling place is being used than at the previous election held by the same authority, Notice of Change to Polling Place must be posted at the entrance of the previous polling place informing voters of the current polling place location, if possible. (Sec. 43.062).

NOTE - A Federal Postcard Application (FPCA) also serves as an application for **permanent** registration under Texas law unless the voter marked "my intent to return is uncertain" (2019 form)(PDF), or "**my return is uncertain**" (2017 form). The early voting clerk should make a copy (for mailing ballots, keeping records, etc.), then should forward the original to the county voter registrar, as soon as practicable. (Sec. 101.055; 1 T.A.C. § 81.40(a), (c)(2)).

Recommended last day for early voting clerk to order supplemental and registration correction lists, if applicable, or order revised original list of registered voters from the voter registrar for early voting by personal appearance. (Secs. 18.001, 18.002, 18.003, 18.004).

NOTE - Per Sections 18.002 and 18.003 of the Code, supplemental and corrected voter registration lists must be provided as needed to ensure all eligible voters appear on the official list of registered voters. (Secs. 18.002, 18.003).

Friday, May 17, 2024 (13th day after election day)

Last day for the presiding judge of the early voting ballot board to mail Notice of Outcome to Provisional Voter (PDF) to provisional voters if the local canvass was held on Tuesday, May 7, 2024, the first day of the canvass period. Such notices must be delivered to provisional voters by

the presiding judge no later than the 10th day after the local canvass (Sec. 65.059; 1 T.A.C. § 81.176(e)).

Last day for a candidate to withdraw from a runoff election if the canvass was conducted on Wednesday, May 15, 2024. (Sec. 145.092).

Sunday, May 19, 2024 (15th day after election day)

Election records from the May 4, 2024 election must be available in an electronic format no later than this day, for a fee of not more than \$50.00. (Sec. 1.012(e)).

Monday, May 20, 2024 (26th day before runoff election day)

Deadline to order a runoff election for June 15, 2024. (Sec. 2.024)

Sunday, May 26, 2024 (20th day before runoff election day)

NOTE - If your local political subdivision has started receiving ballots by mail for the June 15, 2024 runoff election, the early voting ballot board may convene.

NOTE - First day that the signature verification committee, if one is appointed, may begin operating. (Sec. 87.027). If your local political subdivision has not created a signature verification committee, please see below about early voting ballot board. For more information on corrective action, see Note 17 and Tex. Sec’y of State Election Advisory No. 2023-13.

Monday, May 27, 2024 (19th day before runoff election day) (Memorial Day)

Tuesday, May 28, 2024 (24th day after election day; extended from 21st day, Saturday, May 25, 2024, Sec. 1.006)

Last day for the presiding judge of the early voting ballot board to mail Notice of Outcome to Provisional Voter (PDF) to provisional voters, if the canvass was held on Wednesday, May 15, 2024. Such notices must be delivered to provisional voters by the presiding judge no later than the 10th day after the local canvass. (The deadline falls on Saturday, May 25, 2024, and is extended to Tuesday, May 28, 2024 under Section 1.006.) (Sec. 65.059; 1 T.A.C. § 81.176(e)).

Last day to complete the partial manual count, which is the first business day after the 21st day after the election. (Secs. 1.006, 127.201(a)).

Counties, Cities, and School Districts: Last day for a county who provides election services for an election to post certain information regarding the upcoming election(s) on the county’s website per Section 4.009. A city or independent school district that holds an election and maintains an

Internet website must also post this same election information on their website even if the county is also posting this data. The information posted on the website must include:

1. the date of the election;
2. the location of each polling place;
3. each candidate for an elected office on the ballot; and
4. each measure on the ballot. (Sec. 4.009). (The deadline falls on Saturday, May 25, 2024 and is extended to Tuesday, May 28, 2024 under Section 1.006.)

Friday, May 31, 2024 (15th day before runoff election day)

NOTE - Due to the short timeframe between the May 4, 2024 election and the June 15, 2024 runoff election, this is the last day that the notice of an election can be posted on the local political subdivision's website. (Sec. 4.003).

NOTE - Last business day to conduct the public Logic and Accuracy testing before early voting as the first test shall be conducted at least **48** hours before the automatic tabulating equipment is used to count ballots voted in the election.

NOTE - While this is the last business day to conduct the public Logic and Accuracy test, our office highly recommends that the test be conducted as early as possible. (Sec. 127.093).

Deadline to receive an FPCA **without** a postmark. If an FPCA is received by this date **without** a postmark to prove mailing date, the early voting clerk will accept the FPCA and mail the applicant a full ballot even if the applicant is **not** a permanently registered voter but meets the requirements under Title 2 of the Election Code (unless the voter marks the FPCA form "**my intent to return is uncertain**" (2019 form)(PDF), or "**my return is uncertain**" (2017 form), in which case the voter receives a federal-only ballot). (Sec. 101.052(i)(1)).

Last day to notify election judges of duty to hold election (Writ of Election). Notice must be given by the 15th day before the election or the 7th day after the day the election is ordered, whichever is later. The Writ of Election must be given to each presiding judge and include:

1. The judge's duty to hold the election;
2. The type and date of election;
3. The polling place location at which the judge will serve;
4. The polling place hours; and
5. The maximum number of clerks the judge may appoint. (Sec. 4.007).

June

Runoff Election Early Voting Dates: Monday, June 3, 2024 – Tuesday, June 11, 2024

Monday, June 3, 2024 (30th day after election day, 12th day before runoff election day)

If a Type A municipal officer-elect fails to qualify for office within 30 days after the date of the officer's election, the office is considered vacant. (Sec. 22.007, Local Government Code).

First day to vote early in person. (Sec. 85.001(e)).

NOTE - Voting by limited ballot must be done during the early voting period at the main early voting polling place (or by mail). (Sec. 112.002(a)).

NOTE - Early voting in person must be conducted at least nine (9) hours each weekday that is not a legal state holiday unless the political subdivision has fewer than 1,000 registered voters, in which case early voting in person must be conducted at least four (4) hours per day. (Sec. 85.005(b)). This rule only applies to the main early voting location.

NOTE - Section 61.002 provides that immediately before the opening of the polls during early voting, the presiding judge or alternate judge shall confirm that the public counters on each voting machine are set to zero and shall print the tape that shows that there are zero votes for each candidate or measure on the ballot.

NOTE - Cities are **not** required to choose two weekdays for the main early voting polling place location to be open for at least 12 hours during the regular early voting period. (Sec. 85.005).

NOTE - Independent School Districts: Despite the change in state law that allows an ISD to be closed on school holidays during the mandatory office hours period, you are **required to be open** during the entire early voting period, except on legal state and national holidays. (Sec. 85.005(b)).

NOTE - Joint Elections: If entities are conducting early voting by personal appearance jointly, we *recommend* a unified schedule covering all requirements; i.e., no entity's requirements should be neglected or subtracted as a result of a joint agreement.

First day a voter who becomes sick or disabled on or after Monday, June 3, 2024 may submit an application for a late ballot if the sickness or physical condition prevents the voter from appearing at the polling place without the likelihood of needing personal assistance or of injuring his or her health. (Sec. 102.001). See Application for Emergency Early Voting Ballot Due to Sickness or Physical Disability. Applications may continue to be submitted until 5:00 p.m. on election day. (Sec. 102.003).

Tuesday, June 4, 2024 (11th day before runoff election day)

Last day to receive an (FPCA)(PDF) from a registered voter. If the voter is **not** registered in the county (and/or marked intent to return "not certain"), **the voter is still eligible for a ballot**

containing federal offices only. In a local (non-federal) election, this means there is **no ballot** to send the voter. (Secs. 101.052(b), (f), 114.004(c)).

NOTE - A member of the Texas National Guard or the National Guard of another state or a member of a reserve component of the armed forces of the United States serving on active duty under an order of the President of the United States or activated on state orders, or the spouse or dependent of a member, may submit an FPCA. (Sec. 101.001). For a full list of eligible FPCA voters, see Note 16.

Last day for early voting clerk to receive applications for a ballot to be voted by mail. (Sec. 84.007(c)). All applications to vote by mail must be received by the early voting clerk before the close of regular business or 12 noon, **whichever is later**. Applications to vote by mail must be submitted by mail, common or contract carrier, fax (if a fax machine is available in the office of the early voting clerk), or by electronic submission of a scanned application with an original signature. The early voting clerk's designated email address must be posted on the Secretary of State's website.

If an ABBM is faxed or emailed or if an FPCA is faxed, then the applicant must submit the ORIGINAL application BY MAIL to the early voting clerk so that the early voting clerk **receives the original no later than the 4th business day after receiving the emailed or faxed ABBM or faxed FPCA**. If the early voting clerk does not receive the original ABBM or FPCA by that deadline, then the emailed or faxed ABBM or faxed FPCA will be considered incomplete, and the early voting clerk may NOT send the applicant a ballot. The early voting clerk should retain a copy of the FPCA for their own records, but should send the FPCA submitted by the voter to the Voter Registrar for registration purposes. (Sec. 84.007). The requirement to mail the original application does not apply to an **emailed** FPCA.

An applicant for a ballot to be voted by mail (ABBM or FPCA) may submit the application by delivering it in person to the early voting clerk if the application is submitted not later than the close of regular business in the clerk's office on Tuesday, June 4, 2024. (Sec. 84.008).

NOTE - Section 84.008 of the Code provides that an applicant for a ballot to be voted by mail may submit the application by delivering it in person to the early voting clerk if the application is submitted not later than the deadline provided by Section 84.007(c) of the Code. This means that voters may personally deliver their ABBM or FPCA to the early voting clerk not later than the close of regular business in the early voting clerk's office or 12 noon, whichever is later, on the 11th day before election day (unless that day is a Saturday, Sunday, or legal state or national holiday, in which case the last day is the first preceding regular business day).

NOTE - NEW LAW: SB 1599 (2023, R.S.) amended Section 86.008 of the Code, effective September 1, 2023, to require that if the early voting clerk determines that it would not be possible for the applicant to correct certain defects in a mail ballot application and return an application form by mail before the deadline, the clerk may notify the applicant by telephone or

e-mail of the defect, and inform the applicant that the applicant may come to the early voting clerk's office before the deadline and correct the defect in person. The clerk shall notify the applicant of a defect discovered and provide the information required to permit the applicant to correct the defect using the Secretary of State's online Ballot by Mail Tracker, if possible. For more information on corrective action, see Note 17 and Tex. Sec'y of State Election Advisory No. 2023-13.

Note for Counties: Last day for county clerk/elections administrator to deliver final list of voters that have submitted an annual application for ballot by mail to political subdivisions located within the county holding an election on June 15, 2024 for which the county clerk/elections administrator is not the early voting clerk via a joint election agreement or contract for election services. (Sec. 86.0015(c)).

Wednesday, June 5, 2024 (10th day before runoff election day)

Last day of period during which notice of election must be published if method of giving notice is **not** specified by a law outside the Election Code and **publication** is the selected method of giving notice. (Sec. 4.003(a)(1)). The notice for elections ordered by the governor, a county authority, or by an authority of a city or school district must be given by publication in a newspaper in addition to any other method specified by a law outside the Election Code. (Sec. 4.003(a)(1), (c), (d)).

NOTE - A local political subdivision can post their notice of election as soon as the election has been ordered.

NOTE - The election notice shall be posted on the political subdivision's website, if the political subdivision maintains a website.

Last day to mail a copy of the notice of election to each registered voter of the territory that is covered by the election and is in the jurisdiction of the authority responsible for giving the notice **if method of giving notice is not specified by a law outside the Election Code** and this method of giving notice is selected. (Secs. 1.006, 4.003(a)(3)).

NOTE - The *recommended* time to include the notice of accepting voters with certain disabilities on a political subdivision's website is when the notice of election is also posted on the website. (Secs. 63.0015, 85.007(d)).

Thursday, June 6, 2024 (9th day before runoff election day)

NOTE - NEW LAW: SB 1599 (2023, R.S) amended Section 87.0222 of the Code, effective September 1, 2023, to provide that not later than the ninth day before election day, the jacket envelopes containing early voting ballots voted by mail **MUST** be delivered to the early voting ballot board. **This requirement applies regardless of the county's population size.** Any jacket

envelopes of early voting ballots voted by mail returned after delivery of the ballots to the early voting ballot board may be delivered to the presiding judge of the early voting ballot board between the end of the ninth day before election day and the closing of the polls on election day, or as soon after closing as practicable, at the time or times specified by the presiding judge. The early voting clerk shall post notice of each delivery of balloting materials that is to be made before the time for opening the polls on election day. The notice must be posted at the main early voting polling place continuously for at least 24 hours immediately preceding the delivery.

Please note that the mail ballots may not be counted until (i) the polls open on election day; or (ii) in an election conducted by an authority of a county with a population of 100,000 or more or entities that are having joint elections with such a county or who are conducting their election with such a county through a contract for election services, the end of the period for early voting in person. (Secs. 87.0222, 87.0241). **NOTE: Results may not be released until the polls close on election day.**

NOTE - The early voting ballot board **must** meet by this deadline, regardless of whether carrier envelopes have been received by this date.

NOTE - The early voting ballot board can meet as soon as the county has received voted ballots by mail from voters and those materials are delivered to the ballot board. The ballot board does not have to wait until this ninth-day deadline to meet.

NOTE - The county clerk/elections administrator must ensure that photocopies or electronic recordings of annual applications for ballot by mail have been delivered to the early voting clerk of every political subdivision holding an election before the ballots by mail are delivered to the early voting ballot board.

NOTE - Section 127.1232 provides that for local political subdivisions that are contracting with counties that have a population of 100,000 or more and whose contract designates the county as the general custodian of election records, the general custodian of election records shall implement a video surveillance system that retains a record of all areas containing voted ballots: (1) from the time the voted ballots are delivered to the central counting station until the canvass of the precinct election returns; and (2) from the time the voted ballots are delivered to the signature verification committee or early voting ballot board until the canvass of precinct election returns. Video from the surveillance system shall be made available to the public by live stream. The recorded video is considered an election record and shall be retained by the general custodian until the end of the calendar year in which an election is held or until an election contest filed in the county has been resolved, whichever is later. (Sec. 127.1232). Tex. Sec'y of State Election Advisory No. 2022-10.

Monday, June 10, 2024 (5th day before runoff election day)

A voter is eligible to vote a late ballot if they will be out of the county of residence on election day due to a death in the immediate family (related within 2nd degree of consanguinity or affinity) that occurs on or after this day. The voter may submit the Application for Emergency Early Ballot Due to Death in Family starting Wednesday, June 12, 2024 (the day after early voting in person ends). (Secs. 103.001, 103.003(b)). An application may be submitted after the last day of the period for early voting by personal appearance and before the close of business on the day before election day. (Sec. 103.003).

Tuesday, June 11, 2024 (4th day before runoff election day)

Last day to vote early by personal appearance. (Sec. 85.001(e)).

Early voting clerk must post Notice of Delivery of Early Voting Balloting Materials to the early voting ballot board if materials are to be delivered to the board on Wednesday, June 12, 2024. Notice must be posted continuously for 24 hours preceding each delivery to the board. (Secs. 87.0221, 87.0222, 87.023, 87.024, 87.0241).

Entities Contracting with Counties that have a Population of 100,000 or More:

After the polls close at the end of early voting by personal appearance, counties with a population of 100,000 or more (or local subdivisions conducting a joint election with such a county or conducting an election through a contract for election services with such a county) may convene their early voting ballot board and begin **counting** ballots; **however, the results may not be announced until after the polls close.** (Secs. 87.0222, 87.0241).

NOTE - If a county with a population of 100,000 or more (or a local subdivision conducting a joint election with such a county or conducting an election through a contract for election services with such a county) is convening their early voting ballot board early to begin **counting** ballots, the test of the tabulation equipment will need to be completed at least 48 hours before the equipment is used to count ballots. (Secs. 87.0222, 87.0241, 127.096).

Entities Contracting with Counties that have a Population of Less than 100,000:

Counties may begin convening their early voting ballot board as the county has received voted ballots by mail from voters and those materials are delivered to the ballot board, **but cannot begin counting the ballots until the polls open on election day.** The early voting clerk shall continuously post notice for 24 hours preceding each delivery of voting materials that is to be made before the time for opening the polls on election day. (Secs. 87.0221, 87.023, 87.024, 87.0241). See Notice of Delivery of Early Voting Balloting Materials.

NOTE - The county elections officer must ensure that photocopies or electronic recordings of annual applications for ballot by mail have been delivered to the early voting clerk of every

political subdivision holding an election before the ballots by mail are delivered to the early voting ballot board.

NOTE - NEW LAW - Early Voting Ballot Board Actions for a Defective Carrier Envelope: SB 1599 (2023, R.S.) amended Section 87.0411 of the Code, effective September 1, 2023, to provide that not later than the second day after the early voting ballot board discovers a defect(s) in a carrier envelope as described by Section 87.0411(a) of the Code and before the board decides whether to accept or reject a timely delivered ballot under Section 87.041, the board must send the voter a notice of the defect and a corrective action form developed under Section 87.0411(c-1) by mail or by common or contract carrier. The early voting ballot board must include with the notice delivered to the voter: (1) a brief explanation of each defect in the noncomplying ballot; and (2) notice that the voter may either cancel the voter's application to vote by mail in the manner described by Section 84.032, correct the defect in the voter's ballot by submitting a corrective action form by mail or by common or contract carrier, make the correction using the Secretary of State's online Ballot by Mail Tracker, if possible, or come to the early voting clerk's office in person not later than the sixth day after election day to correct the defect(s). For more information on corrective action, see Note 17 and Tex. Sec'y of State Election Advisory No. 2023-13.

NOTE - Section 127.1232 provides that for local political subdivisions that are contracting with counties that have a population of 100,000 or more and whose contract designates the county as the general custodian of election records, the general custodian of election records shall implement a video surveillance system that retains a record of all areas containing voted ballots: (1) from the time the voted ballots are delivered to the central counting station until the canvass of the precinct election returns; and (2) from the time the voted ballots are delivered to the signature verification committee or early voting ballot board until the canvass of precinct election returns. Video from the surveillance system shall be made available to the public by live stream. The recorded video is considered an election record and shall be retained by the general custodian until the end of the calendar year in which an election is held or until an election contest filed in the county has been resolved, whichever is later. (Sec. 127.1232). Tex. Sec'y of State Election Advisory No. 2022-10.

Thursday, June 13, 2024 (40th day after election day)

Last day of the period for mandatory office hours. See entry for Friday, March 15, 2024. (Sec. 31.122).

Friday, June 14, 2024 (day before runoff election day)

Last day to submit an Application for Emergency Early Ballot Due to Death in Family. The application must be submitted by the close of business on this day. (Sec. 103.003(b)).

Last day for early voting clerk to mark the precinct list of registered voters with a notation beside each name of voter who voted early, and deliver list to election judges. The early voting clerk must also deliver the precinct early voting list. (Sec. 87.122). This may be delivered electronically if your county is using an electronic pollbook.

Delivery of Provisional Ballots and Forms: If the voter registrar wants to take possession of the provisional ballots and forms on election night, the voter registrar must inform the custodian of the election records and post a Notice of Election Night Transfer (PDF) no later than Friday, June 14, 2024, 24 hours before election day. (1 T.A.C. § 81.174(d)(3)). However, under this type of delivery, the county voter registrar **must** go to the custodian of election records office and pick up the provisional ballots and forms.

NOTE - The general custodian of election records (or the early voting clerk, if applicable) must post a Notice of Delivery of Provisional Ballots (PDF) at least 24 hours before delivery will occur. (1 T.A.C. § 81.174(b)(1)).

Saturday, June 15, 2024 (Runoff Election Day)

<p>7:00 a.m. – 7:00 p.m.</p>	<p>Polls open. (Sec. 41.031).</p> <p>Voter registrar’s office is open. (Sec. 12.004(c)).</p> <p>Early voting clerk’s office is open for early voting activities. (Sec. 83.011). A voter may deliver a marked ballot by mail to the early voting clerk’s office while the polls are open on election day. The voter must provide an acceptable form of identification under Section 63.0101 upon delivery. The identification procedure is the same as that used for personal appearance voting. (Secs. 63.0101, 86.006).</p>
<p>5:00 p.m.</p>	<p>Deadline for receiving <u>Application for Emergency Early Voting Ballot Due to Sickness or Physical Disability</u> for late ballots to be voted by persons who became sick or disabled on or after Monday, June 3, 2024. (Sec. 102.003(b)).</p>
<p>7:00 p.m.</p>	<p>Regular deadline for receiving early voting ballots by mail. BUT see <u>entry</u> for Monday, June 17, 2024, on “late domestic ballots,” and <u>entry</u> for Thursday, June 20, 2024, on other “late” ballots.</p> <p>This is also the deadline to receive late ballots cast by voters who became sick or disabled on or after Monday, June 3, 2024. (Secs. 86.007(a), 102.006(c)).</p>

NOTE - Section 61.002 provides that immediately before the opening of the polls on election day, the presiding judge or alternate judge shall confirm that the public counters on each voting

machine are set to zero and shall print the tape that shows that there are zero votes for each candidate or measure on the ballot. Immediately after the closing of the polls on election day, the presiding judge or alternate judge shall print the tape to show the number of votes cast for each candidate or measure. Each election judge and alternate judge shall sign the printed tapes. (Sec. 61.002).

NOTE - The presiding judge of the central counting station must provide and attest to a written reconciliation (PDF) of votes and voters at the close of tabulation for election day and again after the central counting station meets for the last time to process late-arriving ballots by mail and provisional ballots. (Sec. 127.131). Preliminary Election Reconciliation (PDF) – Unofficial Totals form (Election Day). Election Reconciliation Form (PDF) – Official Results (Canvass Form). See Note on Reconciliation.

NOTE - Receipt of Mail Ballots: All early voting ballots sent by mail from inside the United States that are received by 7:00 p.m. on election day, June 15, 2024, **must be counted on election night**. If the carrier envelope does not bear a cancellation mark or a receipt mark, the ballot must arrive before the time the polls are required to close **on election day**. (Sec. 86.007(a)(1)). If the early voting clerk cannot determine whether a ballot arrived before the deadline, the ballot is considered to have arrived at the time the place at which the carrier envelopes are deposited was last inspected for removal of returned ballots. (Sec. 86.007(b)). The early voting clerk **must** check the mailbox for early voting mail ballots at least once after the time for regular mail delivery. (Sec. 86.007(b)).

NOTE - An early voting mail ballot that is not received by 7:00 p.m. on election day may not be counted unless the ballot may be counted late, which applies to ballots mailed from outside the United States (Sec. 86.007(d)), late domestic ballots (Sec. 86.007(a)(2)), and ballots from members of the armed forces and merchant marine of the United States, Texas National Guard or the National Guard of another state or members of the Reserves, as well as their spouses and dependents (Sec. 101.057). See entry for Monday, June 17, 2024 and entry for Thursday, June 20, 2024.

NOTE - This deadline does **not** apply to ballots mailed (domestically or from overseas) by certain members of the military who applied for a ballot using an FPCA, as well as members of the Texas National Guard or the National Guard of another state, or members of the Reserves, as well as their **spouses and dependents**; those voters have until the 6th day after election day (Friday, June 21, 2024) to return their ballots. For a full list of eligible FPCA voters, see Note 16.

NOTE - Delivery of Early Voting by Personal Appearance and Mail Ballots: The early voting clerk delivers the voted ballots, the key to the double-locked ballot box, etc., to the early voting ballot board at the time or times specified by the presiding judge of the early voting ballot board, during the hours the polls are open or as soon after the polls close as practicable. (Secs. 87.021, 87.022). The custodian of the key to the second lock of the double-locked early voting ballot box delivers his or her key to the presiding judge of the early voting ballot board on request of the presiding

judge. (Secs. 85.032(d), 87.025). The custodian is the sheriff for county elections; the chief of police or city marshal for city elections; and the constable of the justice precinct in which the political subdivision's main office is located (or the sheriff, if there is no constable), for other political subdivision elections. (Sec. 66.060). If ballots are to be delivered before election day, the early voting clerk must post [notice \(PDF\)](#) at least 24 hours before each delivery at the main early voting polling place. [Tex. Sec'y of State Election Advisory No. 2022-10](#).

Note on Delivery of Early Voting Ballots to Early Voting Ballot Board Before Election Day: Any jacket envelopes of early voting ballots voted by mail returned after delivery of the ballots to the early voting ballot board may be delivered to the presiding judge of the early voting ballot board between the end of the ninth day before election day and the closing of the polls on election day, or as soon after closing as practicable, at the time or times specified by the presiding judge. Mail ballots may be qualified and processed (signatures verified, carrier envelopes opened, and the secrecy envelope containing the ballot placed in a secure location), but they may not be counted until election day. (Secs. 87.0221, 87.0222, 87.023, 87.024, 87.0241). If ballots are to be delivered before election day, the early voting clerk must post [Notice of Delivery of Ballots Voted by Mail](#) at least 24 hours before each delivery at the main early voting polling place.

Exception: Entities contracting with counties that have a population of 100,000 or more may begin counting ballots no earlier than the end of the period for early voting by personal appearance; the results may not be released until the polls close on election day. (Secs. 87.0221, 87.0222, 87.023, 87.024, 87.0241(b), 87.042). If ballots are to be delivered before Election Day, the early voting clerk must post [Notice of Delivery of Ballots Voted by Mail](#) at least 24 hours before each delivery at the main early voting polling place. (Secs. 87.0221(b), 87.023(b), 87.024(b)).

NOTE - Section 127.1232 provides that for local political subdivisions that are contracting with counties that have a population of 100,000 or more and whose contract designates the county as the general custodian of election records, the general custodian of election records shall implement a video surveillance system that retains a record of all areas containing voted ballots: (1) from the time the voted ballots are delivered to the central counting station until the canvass of the precinct election returns; and (2) from the time the voted ballots are delivered to the signature verification committee or early voting ballot board until the canvass of precinct election returns. Video from the surveillance system shall be made available to the public by live stream. The recorded video is considered an election record and shall be retained by the general custodian until the end of the calendar year in which an election is held or until an election contest filed in the county has been resolved, whichever is later. (Sec. 127.1232). See [Tex. Sec'y of State Election Advisory No. 2022-10](#).

NOTE - Manual Examination of Ballots Before Processing on Automatic Counting Equipment: The central counting station manager shall direct the manual examination of all electronic voting system ballots to ascertain whether the ballots can be processed in the usual manner or if the ballots need to be duplicated to clearly reflect the voter's intent. (Sec. 127.125).

NOTE - Testing of Tabulating Equipment: The second test of automatic tabulating equipment used for counting ballots at a central counting station must be conducted immediately before the counting of ballots with equipment begins. The third test must be conducted immediately after the counting is completed. (Secs. 127.093, 127.097, 127.098).

Transfer of Provisional Ballots to Voter Registrar Election Night: The county voter registrar may take possession of the ballot box(es) or transfer case(s) containing the provisional ballots (or provisional ballot affidavits when DRE systems are used) on election night (instead of on the next business day) by informing the custodian of election records and posting a notice of such election night transfer no later than 24 hours before election day. Under this type of delivery, the voter registrar must go to the office of the custodian and pick up the ballot box(es) or transfer case(s) and associated forms. (Sec. 65.052; 1 T.A.C. §§ 81.172 – 81.174 & 81.176). See [Verification of Provisional Ballots and Serial Numbers \(PDF\)](#).

After the polling place is officially closed and the last person has voted, the presiding judge may from time to time make an unofficial announcement of the total number of votes counted for each candidate and/or for or against each proposition in the order that they appear on the ballot. (Sec. 65.015(a)). The announcement shall be made at the entrance to the polling place. (Sec. 65.015(c)).

NOTE - The authority conducting the election may require or prohibit such announcements. (Sec. 65.015(b)). Unofficial election results must be released by the central counting station as soon as they are available after the polls close, but the presiding judge of the central counting station, in cooperation with the county election officer, may choose to withhold the release of vote totals until the last voter has voted. (Sec. 127.1311).

NOTE - Precinct Election Returns: Precinct election returns are delivered to the appropriate authorities after completion. (Secs. 66.053(a), 127.065, 127.066, 127.067).

Last day to post notice of governing authority's meeting to canvass returns of election if canvass is to take place on Tuesday, June 18, 2024 (3rd day after election). (Sec. 67.003(b)). This notice must be posted at least 72 hours before the scheduled time of the meeting. (Secs. 551.002, 551.041, 551.043, Texas Government Code).

NOTE - Section 67.003 provides that, except as provided by Section 67.003(c), each local canvassing authority shall convene to conduct the local canvass at the time set by the canvassing authority's presiding officer not later than the 11th day after election day and not earlier than the later of:

1. the **third day after election day;**
2. the date on which the early voting ballot board has verified and counted all provisional ballots, if a provisional ballot has been cast in the election; or

3. the date on which all timely received ballots cast from addresses outside of the United States are counted, if a ballot to be voted by mail in the election was provided to a person outside of the United States; or
4. ballots contained in defective carriers timely corrected by voters.

Counties, Cities, and School Districts: Section 65.016 of the Code provides for election results information which must be posted on county, city, and school district websites. A county that holds an election or provides election services for an election for a public entity must post certain information regarding election results on their website after the election. A city or independent school district that holds an election and maintains an Internet website must also post certain information on their website related to election results, even if the county is also posting. All entities must post the required information **as soon as practicable after the election**. The required information includes:

1. the results of each election;
2. the total number of votes cast;
3. the total number of votes cast for each candidate or for or against each measure;
4. the total number of votes cast by personal appearance on election day;
5. the total number of votes cast by personal appearance or mail during the early voting period; and
6. the total number of counted and uncounted provisional ballots cast. (Sec. 65.016).

We recommend that election results information remain posted on the entity's main page (or within two clicks of the main page) at least until the next election, and that the information continues to be available for the full 22-month retention period for election records. Entities may choose to make older election results information available on their website.

Entities contracting with counties that have a population of 250,000 or more: Per Section 127.009 of the Election Code, entities that are contracting or holding elections with counties that have a population of 250,000 or more must forward a copy of the audit logs from the central counting station to the Secretary of State no later than the fifth day after voting is completed. The information may be forwarded to the Secretary of State by email, use of a thumb drive, or by mail.

Monday, June 17, 2024 (1st business day after runoff election day)

5:00 p.m. - Deadline to receive **"late domestic ballots"** mailed **within** the United States from **non-military voters and from any military voters** who submitted an **Application for Ballot by Mail** ("ABBM") (**not** a Federal Post Card Application – "FPCA"), if the carrier envelope was placed for delivery by mail or common or contract carrier **AND** bears a cancellation mark of a postal service or a receipt mark of a common or contract carrier or a courier indicating a time not later than **7:00 p.m.** at the location of the election on election day, June 15, 2024. (Secs. 86.007,

101.057, 101.001). A late domestic ballot **cannot be counted** if it does **not** bear a cancellation mark or a receipt mark.

NOTE - Because of the deadline to receive “late domestic ballots,” it is imperative that you check your mail at 5:00 p.m.

NOTE - Section 86.007 provides that a marked ballot voted by mail that a voter received due to submitting an ABBM may arrive at the address on the carrier envelope not later than 5:00 p.m. on the day **after** election day, if the carrier envelope was placed for delivery by mail or common or contract carrier from **within** the United States **and** bears a cancellation mark of a postal service or a receipt mark of a common or contract carrier or a courier from **not later than 7:00 p.m.** at the location of the election on election day.

NOTE - This deadline does **not** apply to ballots sent by non-military voters who are overseas but applied for a ballot using an ABBM; these voters have until the 5th day after election day to return their ballots (or the next business day if the 5th day falls on a weekend or legal state or federal holiday). This deadline also does **not** apply to ballots mailed (domestically or from overseas) by certain members of the military who applied for a ballot using an FPCA, as well as members of the Texas National Guard or the National Guard of another state, or members of the Reserves, as well as their **spouses and dependents**; those voters have until the 6th day after election day to return their ballots. See entry for Friday, June 21, 2024.

Unless the county voter registrar has already taken possession of the provisional ballots prior to this date, the general custodian of election records must deliver the locked ballot box(es) or transfer case(s) containing the provisional ballots (or provisional ballot affidavits when DRE systems are used), along with the Summary of Provisional Ballots and the List of Provisional Voters for each precinct to the voter registrar by this day. The general custodian of election records makes this delivery to the voter registrar during the voter registrar office’s regular business hours. (Secs. 65.052, 65.053; 1 T.A.C. §§ 81.172 – 81.174 & 81.176).

NOTE for Political Subdivisions Located in More than One County: A political subdivision will have to make delivery of the provisional ballots and forms to the county voter registrar in **each** county in which the political subdivision is located. (1 T.A.C. §§ 81.172 – 81.174).

NOTE - If the county voter registrar wants to take possession of the provisional ballots and forms on election night (Saturday, June 15, 2024), the county voter registrar must inform the custodian of the election records and post a notice of the transfer no later than 24 hours before election day. However, under this type of delivery, the county voter registrar **must** go to the custodian of election records office and pick up the provisional ballots and forms. Also, note that the county voter registrar may take possession of provisional ballots prior to election night if ballots are kept separate and may be provided without unlawful entry into ballot box. (1 T.A.C. §§ 81.172 – 81.174).

Tuesday, June 18, 2024 (3rd day after runoff election day)

Last day to begin the **partial manual count** for districts using electronic voting systems. This is the last day to **begin** manual recount of ballots in three precincts or one percent of precincts, whichever is greater (Sec. 127.201(a), (g)). The count must be completed not later than the 21st day after election day. Results of the manual count must be delivered to the Secretary of State not later than the 3rd day after the manual count is completed. (Sec. 127.201(e)). No partial manual count needs to be done of ballots cast on DRE voting machines. (Sec. 127.201(g)). For additional information on the partial manual count, please see Tex. Sec'y of State Election Advisory No. 2018-30.

The first possible day to conduct the official local canvass of returns by the governing authority of the political subdivision. However, the canvass may not be conducted until the early voting ballot board has verified and counted all provisional ballots, if a provisional ballot has been cast in the election, **AND** counted all timely received mailed domestic ballots cast from addresses within the United States, and all timely received mailed ballots cast from addresses outside the United States. (Secs. 67.003, 86.007). Notice of canvass must be posted at least 72 hours continuously before the canvass is conducted.

NOTE - NEW LAW: HB 5180 (2023, R.S.) amended Section 1.012 of the Code, effective September 1, 2023, to provide that on the first day after the final canvass of an election is completed, the general custodian of election records shall make images of voted ballots and cast vote records available for public inspection.

NOTE - If a recount petition has been filed and a winning candidate's race is involved in the recount, the certificate of election cannot be issued for that race until the recount has been completed. (Secs. 67.016, 212.0331).

Cities, Schools, and Other Political Subdivisions: First day that newly-elected local officers may qualify and assume the duties of their offices. Please note that the canvass must have been completed before an officer can assume office. (Sec. 67.016). If a political subdivision was able to **cancel** its election, this is the first day its elected officials can take the oath of office and be issued a certificate of election. (Secs. 2.053(e), 67.003, 67.016). For information on who can administer an oath, please see Chapter 602 of the Government Code.

NOTE - This does not apply to officers of a Type A general law city. See entry at Friday, June 21, 2024.

Wednesday, June 19, 2024 (Juneteenth)

Thursday, June 20, 2024 (5th day after runoff election day)

Last day to receive ballots from **non-military and any military voters** casting ballots from outside of the United States, who submitted an **ABBM** (not an FPCA) **AND** who placed their ballots in delivery by 7:00 p.m. on election day, Saturday, June 15, 2024, as evidenced by a postal service cancellation mark or a receipt mark of a common or contract carrier or a courier (Secs. 86.007, 101.057, 101.001). A late overseas ballot sent by a voter who applied for a ballot using an ABBM (not an FPCA) **cannot be counted** if it does **not** bear a cancellation mark or a receipt mark.

NOTE - Section 86.007 provides that a marked ballot voted by mail from **outside** of the United States by a voter who received the ballot due to submitting an ABBM is considered timely if it is received at the address on the carrier envelope not later than **the fifth day** after the date of the election. Further, the delivery is considered timely if the carrier envelope or, if applicable, the envelope containing the carrier envelope is properly addressed with postage or handling charges prepaid **and** bears a cancellation mark of a recognized postal service or a receipt mark of a common or contract carrier or a courier indicating a time **by 7:00 p.m.** on election day.

Last day to receive ballots from **non-military voters** casting ballots from **overseas**, who submitted a **FPCA**, **AND** who placed their ballots in delivery by 7:00 p.m. on election day, Saturday, June 15, 2024. (Sec. 86.007(d), (e)).

Friday, June 21, 2024 (6th day after runoff election day)

Last day to receive carrier envelopes mailed domestically (within the United States) OR overseas from voters who submitted a **FPCA AND** who are **members of the armed forces of the United States, or the spouse or a dependent of a member of the armed forces, members of the merchant marines of the United States, or the spouse or a dependent of a member of the merchant marine**, members of the Texas National Guard, or the spouse or a dependent of a member of the Texas National Guard, a member of the National Guard of another state, or the spouse or a dependent of a member of the National Guard of another state, or members of the Reserves, or the spouse or a dependent of a member of the Reserves. (Secs. 101.057, 101.001).

NOTE - Section 101.057 provides that carrier envelopes mailed domestically or overseas from certain **military voters** (members of the armed forces of the United States, or the spouse or a dependent of a member of the armed forces, members of the merchant marines of the United States, or the spouse or a dependent of a member of the merchant marine, members of the Texas National Guard, or the spouse or a dependent of a member of the Texas National Guard, a member of the National Guard of another state, or the spouse or a dependent of a member of the National Guard of another state, or members of the Reserves, or the spouse or a dependent of a member of the Reserves) who submitted a **Federal Post Card Application (FPCA)** may arrive on or before the 6th day after election day. (Secs. 86.007, 101.057, 101.001).

NOTE - **The carrier envelope or, if applicable, the envelope containing the carrier envelope sent by the members listed above who applied to vote by mail using the FPCA does NOT need to bear a cancellation or receipt mark in order to be counted.**

NOTE - Last day a voter may come to the early voting clerk's office in person to correct certain defects on their carrier envelope. (Secs. 87.0271, 87.0411). See Note 17 and Tex. Sec'y of State Election Advisory No. 2023-13.

Deadline for ID related provisional voter to (1) present acceptable photo identification to county voter registrar; or (2) if the voter does not possess and cannot reasonably obtain acceptable photo identification, follow the Reasonable Impediment Declaration procedure at the county voter registrar; or (3) execute an affidavit relative to "natural disaster" or "religious objection" in presence of county voter registrar, if applicable; or (4) qualify for the disability exemption, if applicable, with the county voter registrar. (Secs. 65.054, 65.0541).

Deadline for voter registrar to complete the review of provisional ballots. (1 T.A.C. § 81.175(a)(1)).

First day that newly-elected officers of Type A general law city may qualify and assume duties of office. (Sec. 22.006, Local Government Code). But see **NOTE**, below.

NOTE - Council members may take office anytime following the canvass. Section 22.006 of the Texas Local Government Code states that a newly-elected municipal officer of a Type A city may exercise the duties of office beginning the fifth day after the date of the election, excluding Sundays. However, **no newly elected official may qualify for office before the official canvass of the election has been conducted** (or would have been conducted, in the event of a cancelled election). Section 22.036 of the Texas Local Government Code further requires that the newly-elected governing body of the municipality "meet at the usual meeting place and shall be installed."

NOTE - If a Type A municipal officer-elect fails to qualify for office within 30 days after the date of the officer's election, the office is considered vacant. (Sec. 22.007, Local Government Code). See entry for Monday, July 15, 2024.

Monday, June 24, 2024 (9th day after runoff election day)

Deadline for custodian of election records or presiding judge of the early voting ballot board to retrieve provisional ballots from county voter registrar. (Sec. 65.051(a)).

Last day for **early voting ballot board** to convene to qualify and count the following ballots addressed below:

1. any late **domestic** ballots (from non-military and from any military voters who submitted an ABBM) that bear a cancellation mark or receipt mark indicating they were placed for delivery by mail or common or contract carrier not later than 7:00 p.m. on election day,

June 15, 2024, and were received not later than 5:00 p.m. on the first business day after election day, on Monday, June 17, 2024. (Secs. 86.007(a), 87.125(a)).

2. any late ballots that were submitted from outside the United States by voters who applied for the ballot using an ABBM or by non-military voters who applied for the ballot using an FPCA, and which were received by the 5th day after election day, Thursday, June 20, 2024. (Secs. 86.007(d), 87.125(a)).
3. any ballots received by the 6th day after election day, Friday, June 21, 2024, from voters who are members of the armed forces of the United States, or the spouse or a dependent of a member of the armed forces, members of the merchant marines of the United States, or the spouse or a dependent of a member of the merchant marine, members of the Texas National Guard, or the spouse or a dependent of a member of the Texas National Guard, a member of the National Guard of another state, or the spouse or a dependent of a member of the National Guard of another state, or members of the Reserves, or the spouse or a dependent of a member of the Reserves, and who applied for a ballot using an FPCA. (Secs. 101.057, 87.125(a)).
4. any provisional ballots that have been reviewed by the voter registrar. (Sec. 65.051(a)).
5. ballots contained in defective carrier envelopes corrected by voters. (Sec. 86.011(d)).

NOTE - Ballots that do not qualify under 1-3 above should be treated as ballots not timely returned and should not be delivered to the ballot board.

NOTE - If the early voting ballot board needs to meet after this date, it will require a court order to do so.

The time the board reconvenes is set by the presiding judge of the early voting ballot board. (Secs. 86.007(d), 87.125).

NOTE - Section 65.0581 provides that provisional voting records do not become public information until after the provisional ballots and other voting records have been delivered back to the custodian of election records. (Sec. 65.0581).

NOTE - The presiding judge of the central counting station must attest to a written reconciliation (PDF) of votes and voters at the close of tabulation for election day and again after the central counting station meets for the last time to process late-arriving ballots by mail and provisional ballots. (Sec. 127.131).

Tuesday, June 25, 2024 (10th day after runoff election day)

Last day for the presiding judge of the early voting ballot board to mail a Notice of Rejected Ballot (PDF) to voters whose mail ballots were rejected. (Sec. 87.0431).

Wednesday, June 26, 2024 (11th day after runoff election day)

Last day for official canvass of returns by governing authority of political subdivision. (Sec. 67.003).

NOTE - NEW LAW: HB 5180 (2023, R.S.) amended Section 1.012 of the Code, effective September 1, 2023, to provide that on the first day after the final canvass of an election is completed, the general custodian of election records shall make images of voted ballots and cast vote records available for public inspection.

NOTE - If a recount petition has been filed and a winning candidate's race is involved in the recount, the certificate of election cannot be issued for that race until the recount has been completed. (Secs. 67.016, 212.0331).

Thursday, June 27, 2024 (12th day after runoff election day)

NOTE - NEW LAW: HB 5180 (2023, R.S.) amended Section 1.012 of the Code, effective September 1, 2023, to provide that on the first day after the final canvass of an election is completed, the general custodian of election records shall make images of voted ballots and cast vote records available for public inspection.

Friday, June 28, 2024 (13th day after runoff election day)

Last day for the presiding judge of the early voting ballot board to mail Notice of Outcome to Provisional Voter (PDF) to provisional voters if the local canvass was held Tuesday, June 18, 2024, the first day of the canvass period. Such notices must be delivered to provisional voters by the presiding judge no later than the 10th day after the local canvass (Sec. 65.059; 1 T.A.C. § 81.176(e)).

July

Thursday, July 4, 2024 (Independence Day) (61st day after May 4, 2024 election day)

NOTE - NEW LAW: HB 5180 (2023, R.S.) amended Section 1.012 of the Code, effective September 1, 2023, to provide that on the 61st day after election day, the general custodian of election records shall make the original voted ballots available for public inspection.

First day that ballot box(es) from the **May 4, 2024 election** may be unlocked and its voted ballots may be transferred to another secure container for the remainder of the preservation period. (Sec. 66.058(b)).

NOTE - Our office recommends that the county elections office work closely with its county attorney and its public information division in ensuring that records have been properly redacted before being made publicly available. Please direct any questions about the procedures for responding to a public information request, including the timeframes for such responses, to the Office of the Attorney General via its Open Government Hotline, (877) OPEN TEX (673-6839).

NOTE - For guidance on retention of electronic voting system media please see Tex. Sec’y of State Election Advisory No. 2019-23.

Monday, July 8, 2024 (24th day after runoff election day)

Last day to complete the partial manual count **for the June 15, 2024 runoff election. This deadline is extended to the next regular business day, which is Monday, July 8, 2024, due to the 21st day falling on a Saturday.** (Secs. 1.006, 127.201(a)).

Last day for the presiding judge of the early voting ballot board to mail Notice of Outcome to Provisional Voter (PDF) to provisional voters if the local canvass was held on Wednesday, June 26, 2024, the last day of the canvass period. (Sec. 65.059; 1 T.A.C. § 81.176(e)). Such notices must be delivered to provisional voters by the presiding judge no later than the 10th day after the local canvass.

Monday, July 15, 2024 (30th day after runoff election day)

If a Type A municipal officer-elect fails to qualify for office within 30 days after the date of the officer’s election, the office is considered vacant. (Sec. 22.007, Local Government Code).

August

Thursday, August 15, 2024 (61st day after election day)

NOTE - NEW LAW: HB 5180 (2023, R.S.) amended Section 1.012 of the Code, effective September 1, 2023, to provide that on the 61st day after election day, the general custodian of election records shall make the original voted ballots available for public inspection.

First day that ballot box(es) from the June 15, 2024 election may be unlocked and its voted ballots may be transferred to another secure container for the remainder of the preservation period. (Sec. 66.058(b)).

NOTE - Our office recommends that the county elections office work closely with its county attorney and its public information division in ensuring that records have been properly redacted before being made publicly available. Please direct any questions about the procedures for

responding to a public information request, including the timeframes for such responses, to the Office of the Attorney General via its Open Government Hotline, (877) OPEN TEX (673-6839).

NOTE - For guidance on retention of electronic voting system media, please see Tex. Sec'y of State Election Advisory No. 2019-23.

2025-2026

Wednesday, January 1, 2025 (1st day after the end of the calendar year in which the election was held)

First day that surveillance video of areas containing voted ballots from the May 4, 2024 election and June 15, 2024 runoff election may be destroyed IF there is no unresolved election contest.

NOTE - Section 127.1232 provides that in counties with a population of 100,000 or more, the general custodian of election records shall implement a video surveillance system that retains a record of all areas containing voted ballots: (1) from the time the voted ballots are delivered to the central counting station until the canvass of the precinct election returns; and (2) from the time the voted ballots are delivered to the signature verification committee or early voting ballot board until the canvass of precinct election returns. Video from the surveillance system shall be made available to the public by live stream. The recorded video is considered an election record and shall be retained by the general custodian until the end of the calendar year in which an election is held or until an election contest filed in the county has been resolved, whichever is later. (Sec. 127.1232). See Tex. Sec'y of State Election Advisory No. 2022-10.

Thursday, March 5, 2026 (day after 22 months after May 4, 2024 election day)

Contents of ballot box(es) may be destroyed **IF** no contest or criminal investigation has arisen (Secs. 1.013, 66.058), and **IF** no open records request has been filed (Tex. Att'y Gen. ORD-505 (1988)).

All election records must be preserved for 22 months from election day, even when there is no federal office on the ballot. (Sec. 66.058).

Notable Exceptions:

Permanent Records: Election results must be permanently maintained in the election register. (Sec. 67.006).

Electronic Voting Systems: See advisories on our website for preservation procedures for electronic voting systems. (See Tex. Sec'y of State Election Advisory No. 2019-23.)

Thursday, April 16, 2026 (day after 22 months after June 15, 2024 election day)

Contents of ballot box(es) may be destroyed **IF** no contest or criminal investigation has arisen (Secs. 1.013, 66.058), and **IF** no open records request has been filed (Tex. Att’y Gen. ORD-505 (1988)(PDF)).

ALL election records must be preserved for 22 months from election day, even when there is no federal office on the ballot. (Sec. 66.058).

Notable Exceptions:

Permanent Records: Election results must be **permanently** maintained in the election register. (Sec. 67.006).

Electronic Voting Systems: See advisories on our website for preservation procedures for electronic voting systems. See Tex. Sec’y of State Election Advisory No. 2019-23.

Tuesday, May 5, 2026 (day after Two Years after May 4, 2024 election day)

NOTE: Retention of Voter Registration List: County voter registrar must maintain **copy** of each voter list prepared for each countywide election for 2 years (24 months) after election day. (Sec. 18.011).

NOTE: Retention of Candidate Applications: Candidate applications must be retained by the governing body for **two** years after date of election. (Sec. 141.036).

Tuesday, June 16, 2026 (day after two years after June 15, 2024 election day)

NOTE - Retention of Voter Registration List: County voter registrar must maintain **copy** of each voter list prepared for each countywide election for 2 years (24 months) after election day. (Sec. 18.011).

NOTE - Retention of Candidate Applications: Candidate applications must be retained by the governing body for **two** years after date of election. (Sec. 141.036).