
November 5, 2019 Election Law Calendar

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The uniform election date in November of odd-numbered years is usually the date on which constitutional amendments passed by the Texas Legislature during its recently completed session are voted on. Many local political subdivisions, such as cities and school districts, also have their regular general elections for members of their governing bodies or special elections to fill vacancies on this date. Political subdivisions, including counties, may also have measure (proposition) elections on this date. Therefore, this calendar is designed to meet the needs of many diverse governmental bodies. If there are questions about the applicability of something in this calendar to your particular election, do not hesitate to call the Elections Division of the Office of the Texas Secretary of State at 1-800-252-VOTE(8683).

Months

1. June
2. July
3. August
4. September
5. October
6. November
7. December

Notes

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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, 10th Floor, Austin, Texas 78701; call 512-463-5800; or access their website at: www.ethics.state.tx.us.

2. Note on Submissions to the U.S. Department of Justice

On June 25, 2013, the United States Supreme Court issued its decision in *Shelby County v. Holder*, 133 S. Ct. 2612 (2013). The Supreme Court's decision held that Section 4 of the federal Voting Rights Act of 1965 is unconstitutional and its formula can no longer be used as a basis for subjecting jurisdictions to preclearance. Accordingly, unless and until there is new law from the United States Congress signed by the President or other court order, the Texas Attorney General has advised the Secretary of State that it is no longer required to submit voting changes to the DOJ for preclearance. We suggest that Texas counties or other Texas political subdivision discuss the effect of Shelby and the continuing applicability of other provisions of the Voting Rights Act with their legal counsel.

3. Note on Statutory 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, and 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 and 31.071).

4. Note on Required Use of County Polling Places

Political subdivisions holding an election on the **November uniform election date** **must** use county election precincts and the county polling places. (Secs. 42.002, 42.0621 & 43.004). This is the case even when the county has adopted the **countywide polling place system**; in that case the entity must have a presence in every countywide location in the county, not just the locations physically within the territory of the political subdivision. (Secs. 42.002; 43.007(e)).

NOTE: In a special election for which use of county election precincts is required, the commissioners court may consolidate, on the recommendation of the county election board, two or more county election precincts into a single precinct if the polling place is located so it will adequately serve the voters of the consolidated precinct. If county election precincts are consolidated for a countywide election, at least one consolidated precinct must be situated wholly within each commissioners precinct. (Sec. 42.008).

In an election held by a political subdivision other than a county on the November uniform election date, and in which the political subdivision is not holding a joint election with a county or has not executed a

contract with a county elections officer under which the political subdivision and the county share early voting polling places for the election, the political subdivision must designate as one of its own early voting sites one of the early voting sites established by the county (other than a movable site established under Section 85.062(e)) that is located in the political subdivision. If such a shared polling place is designated as the main early voting polling place by the political subdivision, it must be open for voting for all political subdivisions the polling place serves for at least the days and hours required of a main early voting polling place for the political subdivision making the designation. (Secs. 85.010; 85.002; 85.062(e)).

If such a shared polling place is designated as the main early voting polling place by the political subdivision, it must be open for voting for all political subdivisions the polling place serves for at least the days and hours required of a main early voting polling place for the political subdivision making the designation. (Secs. 85.010; 85.002; 85.062(e)).

NOTE – NEW LAW: HB 3965 (2019) states that when a county is using the countywide polling place program and a court order requires any of the polling locations to remain open past 7 p.m., then ALL countywide polling place locations MUST remain open for the same amount of time, as ordered by the court order. (Sec 43.007)

NOTE – NEW LAW: HB 1048 (2019) now requires a political subdivision who is (1) not contracting with the county and (2) who is not holding a joint election with a county, to use the eligible county polling places established by the county. A political subdivision may only designate a different location as an early voting polling place if the entity has already designated each eligible county polling place located in the entity's territory as an early voting polling place.

5. Note on 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](#), 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.

6. Note on 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).

7. Note on Joint Elections Generally

Many entities will have joint elections for the November 5, 2019 election. Note that the entries in this calendar are generally written in terms of elections held individually rather than jointly. For example, cities are advised about conducting two 12-hour days for early voting. However, we have long advised different entities who conduct early voting together to coordinate their early voting hours, which may result in entities other than cities also holding early voting on two 12-hour days. On the other hand, depending on the plan, different entities may choose not holding early voting together and 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 rules apply to a particular joint election plan, please contact our office by phone or email.

8. Note on 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 Tuesday, November 5, 2019 election, this notice must be posted on or before Tuesday, October 15, 2019. In addition, the general rule is that notice must be given by:

1. posting the notice in each election precinct in which the election is to be held on or before the 21st day before the election, Tuesday, October 15, 2019. (Sec. 4.003(a)(2)).
2. publishing the notice at least once between the 30th day and the 10th* day before the election, Sunday, October 6, 2019 – Monday, October 28, 2019. (Secs. 1.006, 4.003(a)(1)).
3. 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, Monday, October 28, 2019. (Secs. 1.006, 4.003(a)(3)).

* Since the 10th day before election day falls on a Saturday, the deadline is extended to the next regular business day, which is Monday, October 28, 2019.

This notice must include:

1. The type and date of the election;
2. The location of each polling place, **including the street address, room number, and building name;**
3. The hours the polls will be open;
4. The location of the main early voting polling place, **including the street address, room number, and building name;**
5. The regular dates and hours for early voting by personal appearance;
6. The dates and hours of any Saturday or Sunday early voting, if any; and
7. The early voting clerk's mailing address.

NOTE – NEW LAW: HB 1241 (2019) now requires that ANY notice of polling locations must include more detailed information regarding the polling locations including: the polling locations street address, any applicable suite or room number, and any applicable building name.

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](#)

-[Notice of General Election for Other Political Subdivisions \(Including Schools\)](#)

-[Notice of Special Election for Counties](#)

Notice of Nearest Polling Places in Countywide Election: NEW LAW – HB 3965 (2019) session now requires that EACH countywide polling place must post a notice, at that location, of the four nearest locations, by driving distance.

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. (NEW LAW HB 440 2019).

Notice for State Constitutional Amendment Election: The constitutional amendment election is ordered by the governor. However, the commissioners court should also complete a local [order](#) to ensure that all required actions related to the election have been completed. Additionally, your county must post notice of the election on the commissioners court bulletin board and must also provide notice under one of the methods authorized under 1, 2, or 3 above. (Secs. 4.002(1), 4.003(b)).

Note for Counties: Notice of an election **ordered by a commissioners court** must be published; the county may also give any additional notice. (Sec. 4.003(c)).

Note for 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 2 above) and may also give any additional notice. (Sec. 4.003(c)). Counties, school districts, and cities must also post notice on the governmental bulletin board used for posting notice of public meetings, no later than Tuesday, October 15, 2019. (Sec. 4.003(b)).

Note for 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 must post a copy of the notice on or before the 21st day before the election (i.e., Tuesday, October 15, 2019) on the bulletin board used for posting notices of the meetings of the governing body of the political subdivision. (Sec. 4.003(b)).

Note for 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 or cities, 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 cities and 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.

Note for All Political Subdivisions, Except Counties:

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, Friday, September 6, 2019. (Sec. 4.008). In the case of the governing body of a school district ordering a tax rollback election, notice of such election must be delivered to the county election officer of each county in which the school district is located not later than the 30th day before election day, Monday, October 7, 2019. (Secs. 1.006, 4.008(b)).

10. Note of Extended Early Voting Hours

Note for Cities: The city must choose **two weekdays** for the main early voting polling place to be open for 12 hours during the regular early voting period, if the early voting period consists of more than six weekdays. (Sec. 85.005(d)). The city secretary may also order early voting on a Saturday or Sunday, and determine the hours for such a Saturday or Sunday early voting. This must be done by written order. (Sec. 85.006(b), (c)). Notice of Saturday or Sunday early voting must be posted for at least 72 hours immediately preceding the first hour that voting will be conducted. (Sec. 85.007(c)). The city secretary **must** have early voting on Saturday or Sunday, *if* a [written request](#) is received from at least 15 registered voters of the city in time to comply with the posting requirement. (Secs. 85.006(d); 85.007).

Note for Counties: The county election officer may also order early voting on a Saturday or Sunday, and determine the hours for such Saturday or Sunday early voting. This must be done by written order. (Sec. 85.006(b); 85.006(c)). Notice of Saturday or Sunday early voting must be posted for at least 72 hours immediately preceding the first hour that voting will be conducted. (Sec. 85.007(c)). The county election officer **must** have early voting on Saturday or Sunday, *if* a [written request](#) is received from at least 15 registered voters of the county in time to comply with the posting requirement. (Secs. 85.006(d); 85.007).

Note for Cities and Counties: The election notice **must** be subsequently amended to include voting later ordered for ANY Saturday or Sunday and **must** be posted on the political subdivision's website, if maintained. (Sec. 85.007).

Note for All Political Subdivisions, Except Counties & Cities: 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 in time to comply with the posting requirement. (Sec. 85.006(d)). **The request must be submitted in time to be included in the order and notice of election.** (Secs. 85.006; 85.007).

Note for Counties with Population of 100,000 or more: Early voting in a special election ordered by the governor must be conducted at the main early voting location for at least 12 hours on each of the last two days of the early voting period. (Sec. 85.005(c)).

Note for Counties with Population of less than 100,000: Early voting must be conducted at the main early voting location on the weekdays of the early voting period and during the hours that the county clerk's main business office is regularly open for business. (Sec. 85.005(a)). However, upon receipt of a written request by at least 15 registered voters of the county for extended hours to the early voting clerk, early voting in a special election ordered by the governor must be conducted at the main early voting location for at least 12 hours on each of the last two days of the early voting period. (Sec. 85.005(c)). The request must be submitted in time to enable compliance with Sec. 85.067.

11. Note on Temporary Branch Locations

NEW LAW - HB 1888 (2019), amends Chapter 85 of the Election Code to modify the requirements for temporary branch polling places.

Early voting at any temporary branch polling location **MUST** be conducted on the same days as the main early voting location and **MUST** remain open for eight hours each day it is open. (Sec 85.005 and 85.064).

NOTE for Political subdivision other than city or county - For political subdivisions with fewer than 1000 registered voters who did not contract with the city or county to act as their early voting clerk, the temporary branch locations must be open for at least three hours each day. (Sec 85.005 and 85.064).

For most 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: HB 1888 also repeals Section 85.064(a) and (c) and Section 85.065. Those statutes provided different rules for populous counties (population over 100,000) as opposed to less populous counties (population under 100,000). Those distinctions have been removed. **The rules for temporary branch locations are now the same for populous and less populous counties under the current version of the law.**

12. Note on 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 Previous Precinct](#) must be posted at the entrance of the previous polling place informing voters of the current polling place location, if possible. (Sec. 43.062).

13. Note on Notice of Change of Polling Place Location:

For elections ordered by the **Governor or county judge only**, if the location of the polling place changes after notice has been given under Section 4.003 of the Texas Election Code, and the county election officer maintains a website to inform voters about elections, the notice of the change must be posted on the website. The notice on the website must be posted not later than the earlier of 24 hours after the location was changed or 72 hours before the polls open on election day. (Sec. 43.061). If the county election officer is conducting a legislative vacancy election, the candidates listed on the ballot are entitled to receive notice directly from the county judge.

14. Note on 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 first 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. 2018-34](#)). The L&A test must be conducted not later than 48 hours before voting begins on a voting system. (Sec. 129.023).

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. 2018-34](#)).

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. 2018-34](#)).

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.

14. Note on Accepting Voters with Certain Disabilities

All Political Subdivisions: Accepting voters with certain disabilities:

An election officer may 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 the priority given to persons with a mobility problem that substantially impairs a person's ability to ambulate **shall** be posted:

- 1) at one or more locations in each 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.

The notice required **must** read as follows:

"Pursuant to Section 63.0015, Election Code, an election officer may 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 this notice on a county website is when the Notice of Election is also posted on the website. Sec 85.007(d). See [Note](#) regarding Notice of Elections.

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.

15. Note on Early Voting at a Residential Care Facility

This program is not in effect. The provisions of HB 658 from the 85th Regular Legislative Session (2017) that pertained to voting in a residential care facility were repealed by SB 5 during the 85th Legislature First Called Session (2017) effective December 1, 2017.

Calendar of Events

June

Thursday, June 20, 2019 (30th day before Saturday, July 20, 2019, 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](#) 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).

NOTE - 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).

July

Saturday, July 20, 2019 (30th day before Monday, August 19, 2019, regular filing deadline for a place on the ballot)

-First day to file an application for a place on the ballot. (Secs. 143.007, 144.005 Election Code; Secs. 11.055 and 130.082(g) Educ. Code). The following applications may be provided to candidates:

Cities: [Application for Place on City/School/Other Political Subdivision Ballot \(PDF\)](#)
[Petition for a Place on the City General Election Ballot](#)

Schools: [Application for Place on City/School/Other Political Subdivision Ballot \(PDF\)](#)

Other Political Subdivisions: [Application for Place on City/School/Other Political Subdivision Ballot \(PDF\)](#)

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 - Cities, Schools, and Other Political Subdivisions: At least part of the candidate filing period will occur during the summer break for school districts. Additionally, 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 p.m. to 5:00 p.m., 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 and fax, without a person there at the office, the political subdivision will not be able to determine which applications were timely filed by 5:00 p.m.

August

August 2019

-Recommended time for the county commissioners court to decide whether to consolidate county election precincts for the November 5, 2019 state constitutional amendment election. The county may consolidate two or more precincts into a single precinct if it will be so located as to adequately serve the voters. At least one consolidated precinct must be wholly within each commissioners precinct. If a county consolidates county election precincts, they must provide a [Notice of Consolidated Precinct](#) at each polling place used in the preceding general election to inform voters of the precinct's consolidation and the location of the consolidated precinct polling place. This notice must be posted not later than the 10th day before election day and must remain posted continuously through election day. (Secs. 42.008; 4.003(b)). The county shall deliver to the Secretary of State notice of the consolidated precinct no later than the date of the election. (Sec. 4.003(e)).

Wednesday, August 7, 2019 (90th day before election day)

-Last day for eligible political subdivisions to submit [Notice of Exemption Under Section 61.013](#) or an [Application of Undue Burden Status](#) 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, [Voting Accessibility Issues](#).

Friday, August 16, 2019 (81st day before election day; day before 2nd day before filing deadline)

-If a candidate dies on or before this date, his or her name is not placed on the ballot as long as the filing deadline is Monday, August 19, 2019. (Sec. 145.094(a)(1)).

NOTE – NEW LAW: Section 145.098 as amended by House Bill 1067 (2019) 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 from the ballot. 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, August 24th, 2019.

Monday, August 19, 2019 (78th day before election day)

-5:00 p.m. - Political Subdivisions Other Than Counties: 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. The following applications may be provided to candidates:

Cities, Schools and Other Political Subdivisions: [Application for a Place on the General Election Ballot \(PDF\)](#)

If your city allows for a petition, the following petition may be used: [Petition for a Place on the City General Election Ballot \(PDF\)](#)

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 5:00 p.m. of the 57th day before election day, Monday, September 9, 2019. (Sec. 143.008).

NOTE: An application 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)).

-Deadline for political subdivisions to order a general election to be held on Tuesday, November 5, 2019, unless otherwise provided by the Election Code. (Sec. 3.005). One of the following forms may be used:

-[Order of Election for Municipalities](#)

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

-Deadline for counties to order an election to be held on Tuesday, November 5, 2019, other than the constitutional amendment election, which is ordered by the governor. (Secs. 3.003, 3.005). The following form may be used: [Order of Special Election for County-Ordered Measure Elections](#).

The order must include:

1. The date of the election;
2. The offices or measures to be voted on;
3. The location of the main early voting polling place;
4. (*Recommended*) Branch early voting polling places (see [Notice of Elections](#) above);
5. The dates and hours for early voting (recommended for counties and cities, but required for all other entities). (Cities must include the two designated weekdays for which early voting will be held for 12 hours);
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 and cities, but it must be included for all other entities); and
7. The early voting clerk's official mailing address.

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 annual 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 40;
7. the aggregate amount of the outstanding principal of the political subdivision's debt obligations as of the beginning of the political subdivision's fiscal year in which the election is ordered;
8. the aggregate amount of the outstanding interest on debt obligations of the political subdivision as of the beginning of the political subdivision's fiscal year in which the election is ordered; 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.

Friday, August 23, 2019 (74th day before election day)

5:00 p.m. - Deadline for write-in candidates to file [Declarations of Write-In Candidacy](#) 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)(2), 146.054(b)(2), 146.055, 146.083, Election Code; Secs. 11.056, 11.304, 130.0825, Education Code; Secs. 326.0431, 326.0432, 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 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)).

First day to post [Notice of Drawing for Place on Ballot](#) if drawing is to be conducted on Tuesday, August 27, 2019. This notice must be posted for 72 hours immediately preceding the time of the drawing. (Sec. 52.094(c)).

For an election held by a political subdivision, other than a city, a notice of ballot position drawing must be **mailed** to candidates by this date if drawing is to be conducted on Tuesday, August 27, 2019. (Sec. 52.094(d)). Candidates who have not filed by this date should be given a copy of the notice at the time of filing.

For an election held at city expense, if a candidate gives the filing authority a written request, accompanied by a stamped, self-addressed envelope, the filing authority must mail the candidate a notice of ballot position drawing. (Sec. 52.094(d)).

Monday, August 26, 2019 (71st day before election day)

5:00 p.m. - Last day for a candidate to withdraw, by submission of a [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)). 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.

5:00 p.m. — 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), 146.054(c)). (Candidates may use the [Certificate of Withdrawal \(PDF\)](#)).

NOTE – NEW LAW: Section 145.098 as amended by House Bill 1067 (2019) 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, August 24th. This extended deadline only applies to the regular filing deadline. It does **NOT** apply to the write-in deadline.

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, 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](#) may be used to certify candidates as unopposed. Also, see our [Sample Order of Cancellation](#). 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 may 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 may 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 Monday, August 19, 2019 and a write-in deadline of Friday, August 23, 2019. Special elections may have different deadlines, and may now 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 - Political Subdivision Holding a Special Election to Fill a Vacancy: If you are having a special election 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 has 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 Advisory - [Cancellation of Election for Local Political Subdivisions \(Not County\)](#)).

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](#) 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](#), which is required to be delivered to each presiding judge not later than the 15th day before the election, Monday, October 23, 2017. (Sec. 4.007, 32.009(e)). If the notices are combined, both must be delivered by the date required by the earlier notice.

NOTE - 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](#). (Sec. 4.007; Sec. 49.110, Water Code).

-Recommended date to appoint the **central counting station personnel**, 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 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.

For timeframes for appointment of various election workers for counties, see [Advisory 2019-08](#)

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).

Recommended date to order election supplies, other than ballots. (Sec. 51.003).

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

Tuesday, August 27 2019 (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). The following form may be used: [Order of Special Election for Municipalities](#).

NOTE: Section 201.054 provides that if a 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 p.m. 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 p.m. on the 40th day before election day. This is the first of the two possible ordering times.

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.

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 [Testing Tabulating Equipment](#)). **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, August 29, 2019 (68th day before election day)

Deadline for the Secretary of State to certify the state constitutional amendment election. (Sec. 274.003).

NOTE: Senate Bill 1703 (2015), amended Section 274.003 to provide that the Secretary of State shall certify the ballot not later than the 68th day before election day.

SEPTEMBER

Wednesday, September 4, 2019 (62nd day before election day)

5:00 p.m. - Last day to file application for a 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, Tuesday, August 27, 2019. (Sec. 201.054(a)(1)). For more details about Section 201.054 and the two possible special election deadlines, see [Tuesday, August 27, 2019](#).

5:00 p.m. - Deadline for write-in candidates to file [Declarations of Write-In Candidacy](#) 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, Tuesday, August 27, 2019. (Sec. 201.054(a)(1) and 201.054(g)).

NOTE: A declaration of write-in candidacy for a special election must be filed not later than the filing deadline. The filing 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, Tuesday, August 27, 2019, is Wednesday, September 6, 2017. (Section 201.054(g))

Friday, September 6, 2019 (60th day before election day)

-First day of period during which the Secretary of State must publish first statewide notice of state constitutional amendment election. The Secretary of State will publish this notice a second time on the same day of the next week after the first notice was published. (Art. XVII, Sec. 1, Texas Constitution).

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 COUNTY - NEW LAW: Section 4.003 as amended by House Bill 933 (2019) 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 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.

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 November 5, 2019. 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 Friday, October 25, 2019 for more information about delivery of a final list of voters. See entry at Thursday, October 24, 2019 and entry at Saturday, November 2, 2019 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 timely. 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.

Monday, September 9, 2019 (57th day before election day)

-5:00 p.m. – Last day for a candidate to file [Certificate of Withdrawal](#) 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) and (e) and 145.094(a)(3)).

-5:00 p.m. - City Offices with Four-Year Terms: 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 Monday, August 19, 2019. (Secs. 1.006 and 143.008). (See note entry for [Monday, August 19, 2019](#)).

Monday, September 16, 2019 (50th day before election day; 21st day after August 26, 2019)

Political Subdivisions Other Than Counties: Last day to notify election judges of their appointment if they were appointed, as recommended, on Monday, August 26, 2019. (Secs. 1.006, 32.009(b)). Presiding

and alternate judges must be [notified \(PDF\)](#) of their appointment in writing, not later than the 20th day after the date the appointment is made. The notice of the judge's duty to conduct the election ([writ of election \(PDF\)](#)) pursuant to Section 4.007 may be combined with the above notice, if the appointment is for a single election only. If the notices are **NOT** combined, then the notice of the judge's duty to conduct the election (writ of election) must be delivered not later than the 15th day before election day, Monday, October 21, 2019.

-Last day of period during which the Secretary of State must publish first statewide notice of state constitutional amendment election. The Secretary of State will publish this notice a second time on the same day of the next week after the first notice was published. (Art. XVII, Sec. 1, Texas Constitution).

-Last day to publish notice 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 Wednesday, September 18, 2019. Notice of the public tests must be published at least 48 hours before the test begins. (Secs. 127.093, 127.096, 129.001, 129.022, 129.023). [See Note 13](#), above.

Monday, September 16, 2019 - Sunday, December 15, 2019 (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 - Counties: This office hour rule applies to the entity's general election or special election ordered by that authority; we recommend that the county maintain these office hours, because the county conducts the constitutional amendment election. The hours are clearly required if the county authority orders an additional county election.

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).

Wednesday, September 18, 2019 (48th day before election day)

-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 13](#), above.

Friday, September 20, 2019 (46th day before election day)

-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 and 201.054(a)(2)). Please note that the Election Code requires the election to be ordered as soon as practicable after the vacancy occurs. (Sec. 201.051).

SEE NOTE under entry for [August 27, 2019](#).

-Deadline to challenge the filing of an application for a place on the ballot as to form, content, and procedure, if the ballots are mailed on the 45th day before election day, Saturday, September 21, 2019. This deadline **will change** if the ballots were mailed prior to the 45th day before election day. Sec. 141.034.

NOTE: Section 141.034 (2017) provides that an application for a place on the ballot may not be challenged for compliance with the applicable requirements as to form, content, and procedure after the day **before** any ballot to be voted early by mail is mailed to an address in the authority's jurisdiction.

Saturday, September 21, 2019 (45th day before election day)

For voters requesting mail ballots with a standard application for ballot by mail or an FPCA who indicate that they are outside the United States, ballots must be mailed by this date or the 7th day after the clerk receives the application. 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: House Bill 2778 (2015) amended Section 101.104 to provide that “any election in which the voter who registers under this chapter is eligible to vote” is a covered election. As Section 86.004 provides a 45th day deadline for any election covered under Section 101.104, there is no longer a distinction between elections with a federal office on the ballot or certain elections to fill a vacancy in the legislature, and all other elections. Therefore, all ballots for military and overseas voters that indicate that they are outside the United States **must** be mailed by this date or the seventh day after receipt of the application. Further, the language of Section 86.004 applies to voters “outside the United States;” however, Section 86.004 was amended in 2011 to implement the federal Military and Overseas Voter Empowerment Act (Pub. L No. 111-84), which applies to all voters eligible to use a federal postcard application under Section 101.001. Therefore, we **strongly recommend** that ballots to all military and overseas voters be mailed by this date, or by the 7th day after the clerk receives the application.

Reminder: In regards to mail ballots for other voters (not military or overseas), 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)).

Thursday, September 26, 2019 (40th day before election day)

-5:00 p.m. – 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, Friday, September 20, 2019. (Sec. 201.054(a)(2)). For more details about Section 201.054 and the two possible special election deadlines, see Tuesday, August 27, 2019 [note entry](#).)

5:00 p.m. - Deadline for write-in candidates to file [Declarations of Write-In Candidacy](#) 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, Friday, September 20, 2019. (Sec. 201.054(a)(1) and 201.054(g)).

NOTE: Sec. 201.054(g) as amended by House Bill 2323 (2017) states that a declaration of write-in candidacy for a special election must be filed not later than the filing deadline. The filing 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 after the 70th day before election day, but on or before the 46th day before election day, Friday, September 20, 2019, is Thursday, September 26, 2019.

October

Monday, September 30, 2019 (36th day before election day)

-Deadline for the Secretary of State to mail each county judge a copy of the governor's proclamation ordering the state constitutional amendment election. (Sec. 3.003(c)).

Tuesday, October 1, 2019 (35th day before election day)

-5:00 p.m. – Last day for a candidate to file a [Certificate of Withdrawal](#) 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. (Secs. 145.092(a) and 145.094(a)(2)).

Friday, October 4, 2019 (32nd day before election day)

-Recommended date for early voting clerk to issue [order \(PDF\)](#) calling for appointment of signature verification committee. (Sec. 87.027).

NOTE: If the signature verification committee will start meeting on Wednesday, October 16, 2019, the early voting clerk must post a copy of the [order \(PDF\)](#) calling for appointment of the signature verification committee on or before this date as the notice must remain posted continuously for at least 10 days before the first day the committee meets. (Sec. 1.006; 87.027(g)).

Sunday, October 6, 2019 (30th day before election day)

-Last day for the county clerk to post a full copy of all amendments to be voted on at the state constitutional amendment election. (Art. XVII, Sec. 1, Texas Constitution).

-First day of period during which notice of the constitutional amendment election and other elections 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 a commissioners court 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) and (d)). This notice may be combined with the other notices you are required to publish.

We recommend that the notice be posted on the political subdivisions website at this time also. See [Note on Notice of Elections](#).

Accepting voters with certain disabilities (See [Note 14](#)):

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. 63.0013 & 85.007(d)).

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.

NOTE: Notice of Change of Polling Place Location: For elections **ordered by the governor or county judge only**, if the location of the polling place changes after notice has been given under Section 4.003, and the county election officer maintains a website to inform voters about elections, **the notice of the change must be posted on the website**. The notice on the website must be given not later than the earlier of 24 hours after the location was changed or 72 hours before the polls open on election day. (Sec. 43.061). If the county election officer is conducting a legislative vacancy election, the candidates listed on the ballot are entitled to receive notice directly from the county judge.

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 Previous Precinct](#) must be posted at the entrance of the previous polling place informing voters of the current polling place location, if possible. (Sec. 43.062).

Monday, October 7, 2019 (29th day before election day)

-Last day to register to vote or make a change of address effective for the Tuesday, November 5, 2019 election. (Secs. 13.143, 15.025).

NOTE: A Federal Postcard Application (FPCA) [FPCA \(PDF\)](#) also serves as an application for permanent registration under Texas law **unless the voter marked “my return is not certain” (2013 form) or “my return is uncertain” (2017)**. 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 Tex. Admin. Code Sec. 81.40(a), (c)(2)).

Last day for a voter to make a change of address that will be effective for the November 5, 2019 election. 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).

*If the 30th day before the election falls on a weekend or holiday, a voter application or a notice of change in registration information is considered timely if it is submitted to the voter registrar on or before the next regular business day. (Secs. 13.143(e) and 15.025(d)).

-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).

Wednesday, October 9, 2019 (27th day before election day)

-Recommended date for the county election board (or governing body of political subdivision, as appropriate) to appoint a signature verification committee (if one is ordered by the early voting clerk). See also entry under [Friday, October 4, 2019](#). (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](#).

Tuesday, October 15, 2019 (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](#) should be completed at the time of posting. (Sec. 4.005).

-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 (extended deadline). (Sec. 4.003(a)(2)). Elections ordered by a commissioners court, as well as cities and school districts **must** publish their notice in the newspaper. A [Record of Posting Notice of Election](#) should be completed at the time of posting. (Sec. 4.005).

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 (**NEW LAW HB 440 2019**)

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

NOTE FOR COUNTIES - NEW LAW: Section 4.003 as amended by House Bill 933 (2019) 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 4.008. This is regardless of whether the county is contracting with the entity.

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. 63.0013 & 85.007(d)). See [Note](#) regarding notice on accepting voters with certain disabilities.

Wednesday, October 17, 2019 (20th day before election day)

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) and (d)).

-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 November 5, 2019. A person submitting 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 [Monday, October 21, 2019](#) entry for timeliness of an FPCA received without a postmark (extended deadline). (Sec. 101.052(e)).

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 your early voting clerk's use (mailing ballots, etc.) and records unless the voter marked **"my return is not certain" (2013 form) or "my return is uncertain" (2017 form)**) in which case, it will not serve as a permanent registration. (Sec. 101.055; 1 Tex. Admin. Code Sec. 81.40).

NOTE: Overseas (non-military) voters marking the FPCA "my return is not certain" (2013 form)–or "do not intend to return" (2011 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.

-Last day to publish notice of L&A test for DRE voting machines or precinct scanners if test will be held on Friday, October 18, 2019, if testing has not already completed by September 18, 2019. 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 13](#), above.

-First day that the signature verification committee, if one is appointed, may begin operating. (Sec. 87.027).

Thursday, October 17, 2019 – Friday, October 25, 2019 (19th day before election – 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 Tuesday, November 5, 2019. See also [entry](#) below under [Monday, October 21, 2019](#) (FPCA without a postmark). (Secs. 84.007; 101.052(e), (f)). 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.

Friday, October 18, 2019 (18th day before election day)

-If a **defective application to vote early by mail** is received on or before this date, the early voting clerk must mail the applicant a new application with explanation of defects and instructions for submitting the new application. For defective applications received after this date and before the end of early voting by personal appearance, the early voting clerk must mail only the [Notice of Rejected Application for Ballot by Mail](#) and a statement that the voter is not entitled to vote early by mail unless he or she submits a sufficient application by the deadline, which is Friday, October 25, 2019. (Secs. 84.007(c), 86.008).

-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 close of regular business in the clerk's office on Friday, October 18, 2019. (Sec. 84.008).

-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 13](#), 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.

Monday, October 21, 2019 (15th day before election day)

-**First day to vote early in person.** (Sec. 85.001(a)).

NOTE: Voting by limited ballot must be done during the early voting period (or by mail). (Sec. 112.002(a)).

NOTE: The early voting period for elections held on the November uniform election date in odd-numbered years begins 17 days prior to election day, but because this day falls on a weekend (Saturday, October 19, 2019), it is extended to the next regular business day (Monday) under Section 85.001(c).

NOTE - Political Subdivisions Other than Cities and Counties: Early voting in person must be conducted at least eight (8) 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 three (3) hours per day. (Sec. 85.005(b)).

NOTE - Cities and Counties: Early voting in person at the main early voting polling place must be conducted on the weekdays of the early voting period and during the hours that the county clerk's or city secretary's main business office is regularly open for business. (Sec. 85.005(a)). However, because cities and counties must have office hours for election-related business at least three (3) hours every business day for this type of election (see Monday, September 16, 2019 [note entry](#)), we harmonize these requirements with the result that, if a city or county is not regularly open for business on one or more weekdays, on those "closed" days, a city or county must conduct early voting for at least three (3) hours a day at the main early voting location (except for a city's two 12-hour days, when it must be open for the full 12 hours).

NOTE - Cities: Cities **must** choose two (2) weekdays for the main early voting polling place location to be open for 12 hours during the regular early voting period. City council must choose the two weekdays. (Sec. 85.005(d)).

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.

NOTE - NEW LAW: Section 85.064 as amended by House Bill 1888 (2019) requires that early voting at temporary branch polling places must now be conducted on the **same days** that early voting is required to be conducted at the main early voting polling place under 85.005 (i.e. each weekday of the early voting period that the main location will be open) and must remain open for either: (1) eight hours each day, or (2) three hours each day if the city or county clerk does not serve as the early voting clerk for the territory and the territory has fewer than 1000 registered voters. **This means that even if your main early voting location is able to be open for fewer than eight hours, your branch locations must still be the eight or three hour minimum that applies to your election.**

-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 **the voter** "does not intend to return" (2011 form), or "my return is not certain" (2013 form), in which case the voter receives a federal-only ballot.*) (Sec. 101.052(i)).

-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).

Wednesday, October 23, 2019 (13th day before election day)

-Cities and Counties – Weekend Early Voting Hours - Notice Requirement: Last day to post notice on bulletin board used for posting notice of city council or commissioners court, if early voting will be conducted on Saturday, October 26, 2019. (Sec. 85.007). Notice must be posted at least 72 hours before early voting begins on a Saturday or Sunday. Notice must also be posted to the political subdivision's website, if one is maintained.

Note for Cities and Counties Only: If the County Clerk or City Secretary on her/his own motion by written order orders early voting on Saturday or Sunday OR if the County Clerk or City Secretary orders Saturday

or Sunday voting after being petitioned to do so by at least 15 registered voters, such voting need not be included in the regular order or notice of the election. (Secs. 85.006(b), (d) and 85.007(b), (c)).

Thursday, October 24, 2019 (12th day before election day; day before the last day to apply for a ballot by mail)

-A voter who becomes sick or disabled on or after this date may vote a late ballot if the sickness or disability 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).

-First day submit an [Application for Emergency Early Voting Ballot Due to Sickness or Physical Disability](#) that arose on or after Thursday, October 24, 2019. (Secs. 102.001, 102.003).

-Cities and Counties – Weekend Early Voting Hours - Notice Requirement: Last day to post notice on bulletin board used for posting notice of city council or commissioners court, if early voting will be conducted on Sunday, October 27, 2019. (Sec. 85.007). Notice must be posted at least 72 hours before early voting begins on a Saturday or Sunday. Notice must also be posted to the political subdivision’s website, if one is maintained. See [entry](#) at Wednesday, October 23, 2019.

-First day that counties with a population of 100,000 or more, or entities that are having joint elections with such a county, may convene their early voting ballot board and deliver by mail ballots to begin processing and qualifying mail ballots; however, 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, the end of the period for early voting in person. (Secs. 87.0222, 87.0241). 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. (Sec. 87.0222). **NOTE:** Results may not be released until the polls close on election day.

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. See [note](#) on House Bill 1927 (2015) for more information.

Friday, October 25, 2019 (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 an application for a ballot by mail. 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. (Sec. 84.007(b) and (c)).

-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 November 5, 2019, for which the county clerk/elections administrator is not the early voting clerk via a joint election agreement or contract for election services.

Saturday, October 26, 2019 (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 commissioners court 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. (Secs. 4.003(c) and (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 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)).

-Last day to post notice of the precinct's consolidation and the location of the polling place in the consolidated precinct for each precinct that is combined to form a consolidated precinct under section 42.008. This notice must be posted at the polling place used in the preceding general election **and** must remain posted continuously through election day. (Sec. 4.003(b)).

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. 63.0013 & 85.007(d)). See [Note 14](#) regarding notice on accepting voters with certain disabilities.

Wednesday, October 30, 2019 (4th business day before election day; 6th day before election day)

5:00 p.m. – Deadline to submit a [Request for Election Inspectors](#) for election day, Tuesday, November 5, 2019 to the Secretary of State. (Sec. 34.001).

Thursday, October 31, 2019 (5th day before election day, day before last day of early voting)

-For the constitutional amendment election, early voting must be conducted for 12 hours on this day in counties with populations of 100,000 or more according to the 2010 Census. Early voting must be conducted for 12 hours on this day in counties with populations under 100,000 if the early voting clerk receives a [petition](#) **not later than** Monday, October 28, 2019. (Secs. 85.005(c), 85.067).

-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 Saturday, November 2, 2019 (the day after early voting in person ends). (Secs. 103.001, 103.003(b)).

NOVEMBER

Friday, November 1, 2019 (4th day before election day)

-**Last day to vote early by personal appearance.** (Sec. 85.001(a)).

-For the constitutional amendment election, early voting must be conducted for 12 hours on this day in counties with populations of 100,000 or more according to the 2010 Census. Early voting must be conducted for 12 hours on this day in counties with populations under 100,000 if the early voting clerk receives a [petition](#) not later than Monday, October 28, 2019. (Sec. 85.005(c), 85.067).

-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 Saturday, November 2, 2019. 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).

-Last day to publish notice of public test of automatic tabulating equipment, if test will be held on Sunday, November 3, 2019, 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).

Saturday, November 2, 2019 (3rd day before election day)

-First day that counties with a population of 100,000 or more (or local subdivisions conducting a joint election 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) 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).

-First day that all other counties and political subdivisions may convene their early voting ballot board for **processing** and **qualifying** mail ballots, 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).

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. See [note](#) on House Bill 1927 (2015) for more information.

-First day to submit an [Application for Emergency Early Ballot Due to Death in Family](#) to vote a late ballot because of a death in the immediate family that occurred on or after Thursday, October 31, 2019, and will require absence from the county on election day. (Secs. 103.001, 103.003(b)).

Sunday, November 3, 2019 (2nd day before election day)

-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 13](#), above).

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

Monday, November 4, 2019 (day before 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 to 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).

-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](#) no later than Monday, November 4, 2019, 24 hours before election day. (1 Tex. Admin. Code. Secs. 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 at least 24 hours before delivery will occur. (1 T.A.C. 81.174(b)(1))

Tuesday, November 5, 2019 - (Election Day)

7:00 a.m. – 7:00 p.m. - Polls open. (Sec. 41.031).

Voter registrar's office is open. (Sec. 12.004(c)).

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 under the court order of August 10, 2016.

Sick and disabled persons may vote at the main early voting polling place if **electronic voting systems** are used at regular polling place(s) on election day **and** the voter has a sickness or condition that prevents the voter from voting in the regular manner without personal assistance or likelihood of injury. (Sec. 104.003).

5:00 p.m. - Deadline for receiving [Application for Emergency Early Voting Ballot Due to Sickness or Physical Disability](#) for late ballots to be voted by persons who became sick or disabled **on or after** Thursday, October 24, 2019. (Sec. 102.003(b)).

7:00 p.m. - Regular deadline for receiving **early voting ballots** by mail. **BUT** see [entry for Wednesday, November 6, 2019 on “late domestic ballots,”](#) and [entry for Monday, November 12, 2019 on other “late” ballots.](#)

This is also the deadline to receive late ballots cast by voters who became sick or disabled **on or after**, Thursday, October 24, 2019. (Secs. 86.007(a), 102.006(c)).

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, November 5, 2019, **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 pm on election day may not be counted unless the ballot may be counted late, per HB 1151 (2017, RS), 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, their spouses and dependents (Sec. 101.057). See [entry](#) for Wednesday, November 6, 2019, and [entry](#) for Monday, November 11, 2019.

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) and 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 at least 24 hours before each delivery at the main early voting polling place.

Note on Delivery of Early Voting Ballots to Early Voting Ballot Board Before Election Day: Early voting ballots may be delivered to the early voting ballot board at any time after early voting by personal appearance ends. 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).

Exception: Counties with a population of 100,000, or more or entities that are having joint elections with counties with a population of 100,000 or more, may process the mail ballots (i.e., qualify, and accept or reject, but not count) as early as the 8th day before the end of the early voting period; in such an election, votes may be counted 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, that is after the end of the early-voting-in-person period but before the polls open on election day, the early voting clerk must post notice 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 - 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).

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 Friday, November 8, 2019 (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 as amended by House Bill 929 (2017) states that, except as provided by Subsection 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 as provided to a person outside of the United States.

Wednesday, November 6, 2019 (1st business day after 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 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 p.m.** at the location of the election on election day, November 5, 2019. (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: Section 86.007 as amended by House Bill 1151 (2017) states 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; those voters have until the 6th day after election day to return their ballots. See [entry](#) for November 12, 2019.

-The general custodian of election records must deliver the ballot box(es) or transfer cases(s) containing the provisional ballots, along with the Summary of Provisional Ballots and the List of Provisional Voters to the county voter registrar, by this day. (Secs. 65.052; 1 Tex. Admin. Code Secs. 81.174(d)(1)).

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 Tex. Admin. Code Secs. 81.172 – 81.174).

NOTE: If the county voter registrar wants to take possession of the provisional ballots and forms on election night (Tuesday, November 5, 2019), 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 Tex. Admin. Code Secs. 81.172 – 81.174).

Friday, November 8, 2019 (3rd day after 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, unless requirement has been waived or unless the voting system uses DRE voting machines. (Sec. 127.201(a), (g)). The count must be completed not later than the 21st day after election day. Results of 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. (Sec. 127.201(g)).

-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 and 86.007). Notice of canvass must be posted at least 72 hours continuously before the canvass is conducted. See [note](#) for Tuesday, November 5, 2019.

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).

NOTE: This does not apply to officers of a Type A general law city, see [entry](#) at Monday, November 11, 2019.

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).

NOTE: Officially-canvassed returns for the state constitutional amendment election must be delivered by the county election officer to the Secretary of State within 24 hours of the canvass. (Sec. 67.007(d)).

Monday, November 11, 2019 (6th day after election day; Veterans Day)

-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).

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 and 212.0331).

Tuesday, November 12, 2019 (first business day after 5th day after election day; 6th 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 p.m. on election day, Tuesday, November 5, 2019, 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 and 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. The deadline is extended to the next regular business day which is Monday, November 12, 2019 due to the 5th day falling on a Sunday. (Sec. 86.007(d-1)).

NOTE: Section 86.007 as amended by House Bill 1151 (2017) states 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, Tuesday, November 5, 2019. (Sec. 86.007(d) and (e)). The deadline is extended to the next regular business day which is Monday, November 11, 2019 due to the 5th day falling on a Sunday. (Sec. 86.007(d-1)). See [NOTE](#) on House Bill 929 (2017, RS), below.

-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.** (Secs. 101.057 and 101.001).

NOTE: Section 101.57 as amended by House Bill 929 (2017) states 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) who submitted a **Federal Post Card Application (FPCA)** may arrive on or before the 6th day after election day. (Secs. 86.007, 101.057 and 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.

*The deadlines referenced above are extended to the next regular business day which is Tuesday, November 12, 2019 due to the 5th day falling on a Sunday and Veterans Day being observed by the U.S. Postal Service on Monday, November 11, 2019. (Secs. 1.006; 86.007(d-1)).

-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. 1.006; 65.054; 65.0541).

-Deadline for voter registrar to complete the review of provisional ballots. (1 Tex. Admin. Code Sec. 81.175(a)(1)).

-Deadline for custodian of election records or presiding judge of the early voting ballot board to retrieve provisional ballots from county voter registrar. (1 Tex. Admin. Code Sec. 81.176(b)(3)).

Thursday, November 14, 2019 (9th day after election day)

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

- 1) any late domestic ballots (non-military) 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, November 5, 2019, and were received not later than 5:00 p.m. on Wednesday, November 6, 2019. (Secs. 86.007(a) and 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 Tuesday, November 12, 2019. (Secs. 87.125(a) and 86.007(d)).
- 3) any ballots received by Tuesday, November 12, 2019, 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 and who applied for a ballot using an FPCA. (Secs. 101.057 and 87.125(a)).
- 4) any provisional ballots that have been reviewed by the voter registrar. (Secs. 65.051(a)).

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

Friday, November 15, 2019 (10th day after election day)

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

Monday, November 18, 2019 (13th day after election day; 10th day after first canvass date)

-Last day for official canvass of returns by governing authority of political subdivision. Because the last day falls on a Saturday, the deadline is extended. (Secs. 1.006, 67.003).

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).

NOTE: Officially-canvassed returns for the state constitutional amendment election must be delivered by the county election officer to the Secretary of State within 24 hours of the canvass. (Sec. 67.007(d)).

-Last day for the presiding judge of the early voting ballot board to mail [Notice of Outcome to Provisional Voter](#) to provisional voters if the local canvass was held on Friday, November 8, 2019, 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 Tex. Admin. Code Sec. 81.176(e)).

Wednesday, November 20, 2019 (15th day after election day)

-First day that Governor may conduct the state canvass of the state constitutional amendment election. (Sec. 67.012).

Tuesday, November 26, 2019 (21st day after election day)

-Last day to complete the partial manual count, if not waived. (Sec. 127.201(a)).

Thursday, November 28, 2019 (23rd day after election day; 10th day after canvass deadline)

-Last day for the presiding judge of the early voting ballot board to mail notice of the disposition of provisional ballots to provisional voters if the local canvass was held on Monday, November 18, 2019, the last day of the canvass period. (65.059; 1 Tex. Admin. Code Sec. 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.

December

Thursday, December 5, 2019 (30th day after election day)

-Last day for governor to conduct the state canvass for the state constitutional amendment election. (Sec. 67.012).

-Last day to file **electronic** precinct-by-precinct returns with the Secretary of State. (Sec. 67.017).

Sunday, December 15, 2019 (40th day after election day)

-Last day of the period for mandatory office hours. See [entry](#) for Monday, September 16, 2019. (Sec. 31.122).

January

Sunday, January 5, 2020 (61st day after election day)

-First day that ballot box(es) 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)).

2020 and 2021

Monday, September 7, 2020 (day after 22 months after November 5, 2019 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 \(1988\)](#)). Generally, non-federal election records must be preserved for 6 months (instead of 22 months) from election day. (Sec. 66.058).

Notable Exceptions:

Permanent Records: Election results must be **permanently**-maintained in the election register. (Sec. 67.006). We recommend that the early voting clerk maintain an FPCA as an election record until at least 6 months after a **non-federal election** in which the FPCA generated a ballot. The voter registrar should maintain the original FPCA (except those marked indefinitely away, which are not forwarded to the registrar) for the preservation period for voter registration applications.

NOTE - Electronic Voting Systems: See advisories on our website for preservation procedures for electronic voting systems. (See [Election Advisory No. 2018-34](#). See [Electronic Voting System Procedures](#)).

November 6, 2021 (day after two Years after November 2019 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).