

**REFUGIO COUNTY ELECTIONS
ADMINISTRATION OFFICE**



**CANDIDATE
INFORMATION
GUIDE**

**RUNNING FOR A
COUNTY OFFICE**

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NOTE

**This packet was created as a reference guide only
and should not be used as a substitute for legal advice.**

It is solely a guide for running for office and filing reports.

**It is the candidate's and officeholder's
responsibility to obtain the actual knowledge of
the laws, regulations and duties.**

**INFORMATION IS SUBJECT TO CHANGE AS A RESULT OF THE
2021 LEGISLATIVE SESSION**

**After you make the decision to run for office, you must file a Campaign
Treasurer Appointment.**

**This is required before you file an application for a place on the ballot,
raise or spend any money for your campaign, or announce your candidacy
publicly or privately.**

**Please be aware that becoming a candidate will trigger filing
requirements. You can familiarize yourself with these requirements by
consulting the appropriate campaign finance guide and filing schedule.**

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OFFICES UP FOR ELECTION IN 2022

Note: This is a preliminary list that is subject to change as we are notified about vacancies and newly-created offices. Also, visit our website for an unofficial list of candidates once filing is underway

OFFICE	TERM
All 38 United States Representatives	2 yr. term
Governor	4 yr. term
Lieutenant Governor	4 yr. term
Attorney General	4 yr. term
Comptroller of Public Accounts	4 yr. term
Commissioner of General Land Office	4 yr. term
Commissioner of Agriculture	4 yr. term
Railroad Commissioners <ul style="list-style-type: none"> Wayne Christian 	6 yr. term
3 members of the Supreme Court <ul style="list-style-type: none"> Debra Lehrmann, Place 3 Rebeca Huddle, Place 5 Place 9 	6 yr. term
3 members of the Court of Criminal Appeals <ul style="list-style-type: none"> Mar Lou Keel, Place 2 Scott Walker, Place 5 Jesse McClure, Place 6 	6 yr. term
All 15 Members, State Board of Education 1	2 yr. or 4 yr. term 1
All 31 State Senators 2	2 yr. or 4 yr. term 2
All 150 State Representatives	2 yr. term
Chief Justice of Courts of Appeals <ul style="list-style-type: none"> Sherry Radack, 1st Court of Appeals Josh Morriss, 6th Court of Appeals 	6 yr. term
Various Court of Appeals Justices	6 yr. term
Various District Judges, Criminal District Judges	4 yr. term
Family District Judges	4 yr. term
District Attorneys	4 yr. term
County Judges	4 yr. term
County Courts at Law	4 yr. term
County Attorneys	4 yr. term
District and County Clerks	4 yr. term
District Clerks	4 yr. term
County Clerks	4 yr. term
County Treasurer	4 yr. term
County Surveyors	4 yr. term
County Commissioners (Precinct 2 & Precinct 4)	4 yr. term
Justices of the Peace	4 yr. term
Constable	4 yr. term

1 All State Board of Education positions are up for election in 2022 following redistricting in 2021. In the first post-redistricting election seven members shall serve two-year terms and eight members shall serve four-year terms. Members shall draw lots to determine who serves which terms. [Educ. Code § 7.104]

2 All State Senate seats are up for election in 2022 following redistricting in 2021. In the first post-redistricting election members are divided into two classes; one class shall serve a 2-year term and the other class shall serve a 4-year term. Members shall draw lots to determine who serves which terms. [Tex. Const. art. 3, § 3].

NOTE: Incumbent office holders appear where listed. This is not a list of current candidates or those who have filed a candidate application for the office.

NOTE: For many years, article XVI, Section 65 of the Texas Constitution set out which county offices would be up for election. This language (setting up the staggering scheme) was omitted in 1999 in "clean-up" legislation. Our office requested an attorney general opinion, expressing our concern about the omitted staggering scheme. The attorney general opined that because the staggering scheme was removed, any newly-created offices would be on the next ballot for the full four-year term. See Texas Attorney General Opinion Number JC-0519 (2002). You will need to check your county records to see if your county created new offices since the 1999 constitutional change.

NOTE: Under Article V, Section 1-a of the Texas Constitution, certain judicial offices are subject to a mandatory retirement age of 75. This may lead some additional judicial offices being listed on the ballot for an unexpired term due to a mid-term vacancy.

LOCAL OFFICES UP FOR 2022 ELECTION

COUNTY OF REFUGIO

County Judge

Bobby Blaschke

Commissioner, Precinct No. 2

Stanley Tuttle

Commissioner, Precinct No. 4

Blaine Wolfshohl

District Clerk

Sylvia Lopez (*appointed 04/2021*)

County Clerk

Ida Ramirez

County Treasurer

Rita Trojcak

Justice of The Peace, No. 1

Mary Canales

Justice of The Peace, No. 2

Emi Riemenschneider

District Judge, 267th Judicial District

Robert E. "Bobby" Bell

QUALIFICATIONS FOR ALL PUBLIC OFFICES

Public Office Sought	U.S. Citizen	Texas Resident	District Resident	Registered to Vote in Area of Office Sought	Minimum Age	Practicing Lawyer or Judge	Source Law	Term of Office
United States Senator	9 yrs.	Yes a	not req'd	not req'd	30 b	—	I § 3 n	6 yrs.
United States Representative	7 yrs.	Yes a	not req'd	not req'd	25 b	-	I § 2 n	2 yrs.
Governor	Yes	5 yrs.	-	not req'd	30 b	-	IV § 4 i	4 yrs.
Lieutenant Governor	Yes	5 yrs.	-	not req'd	30 b	-	IV § 16 j	4 yrs.
Attorney General	Yes	12 mo. c	-	Yes c	18 h	not req'd	IV § 22 j	4 yrs.
Comptroller of Public Accounts	Yes	12 mo. c	-	Yes c	18 h	-	IV § 23 j	4 yrs.
Commission of General Land Office	Yes	12 mo. c	-	Yes c	18 h	-	IV § 23 j	4 yrs.
Commissioner of Agriculture	Yes	12 mo. c	-	Yes c	18 h	-	IV § 23 j	4 yrs.
Railroad Commissioner	Yes	12 mo. c	-	Yes c	25 h	-	§ 81.01003, 81.01004 j	6 yrs.
Chief Justice & Justice, Supreme Court	Yes	12 mo. c	-	Yes c	35 b	10 yrs. b	V § 2 i	6 yrs.
Presiding Judge and Judge, Court of Criminal Appeals	Yes	12 mo. c	-	Yes c	35 b	10 yrs. b	V § 4 i	6 yrs.
State Senator	Yes	5 yrs. b	12 mo. b	not req'd d	26 b	-	III § 6 i	4 yrs./2 yrs. o
State Representative	Yes	2 yrs. b	12 mo. b	not req'd d	21 b	-	III § 7 i	2 yrs.
Member, State Board of Education	Yes	12 mo. b	12 mo. b	Yes c	26 b	-	§ 7.103 k	4 yrs./2 yrs. p
Chief Justice and Justice, Court of Appeals	Yes	12 mo. c	6 mo. c	Yes c	35 b	10 yrs. b	V § 6 i	6 yrs.
District Judge	Yes	2 yrs. b	2 yrs. b	Yes c	25 b	4 yrs. b	V § 7§ 24.001 l	4 yrs.
Criminal District Judge	Yes	2 yrs. b	2 yrs. b	Yes c	25 b	4 yrs. b	V § 7§ 24.001 l	4 yrs.
Family District Judge	Yes	2 yrs. b	2 yrs. b	Yes c	25 b	4 yrs. b	V § 7§ 24.001 l	4 yrs.
District Attorney e	Yes	12 mo. c	6 mo. c	Yes c	18 h	Yes	V § 21, 30§ 41.001 l	4 yrs.
Criminal District Attorney	Yes	12 mo. c	6 mo. c	Yes c	18 h	Yes	V § 30, Ch. 44,§ 41.001 l	4 yrs.
County Judge	Yes	12 mo. c	6 mo. c	Yes c	18 h	not req'd	V § 15 i	4 yrs.
Judge, County Court-at-Law e	Yes	2 yrs. e	6 mo. c , e	Yes c	25 e	4 yrs. e	V § 30§ 25.0014 l	4 yrs.
Judge, County Criminal Court e	Yes	2 yrs. e	6 mo. c , e	Yes c	25 e	4 yrs. e	V § 30§ 25.0014 l	4 yrs.
Judge, County Probate Court e	Yes	2 yrs. e	6 mo. c , e	Yes c	25 e	4 yrs. e	V § 30§ 25.0014 l	4 yrs.
District Clerk	Yes	12 mo. c	6 mo. c	Yes c	18 h	-	V § 9 j	4 yrs.
District & County Clerk	Yes	12 mo. c	6 mo. c	Yes c	18 h	-	V § 20 j	4 yrs.
County Clerk	Yes	12 mo. c	6 mo. c	Yes c	18 h	-	V § 20 j	4 yrs.
County Treasurer	Yes	12 mo. c	6 mo. c	Yes c	18 h	-	XVI § 44 i	4 yrs.
County Surveyor	Yes	12 mo. c	6 mo. c	Yes c	18 h	-	XVI § 44 i	4 yrs.
County Attorney	Yes	12 mo. c	6 mo. c	Yes c	18 h	Yes	V § 21 § 41.001 l	4 yrs.
Sheriff f	Yes	12 mo. c	6 mo. c	Yes c	18 h	-	V § 23§ 85.0011 m	4 yrs.
Tax Assessor-Collector	Yes	12 mo. c	6 mo. c	Yes c	18 h	-	VIII § 14 i	4 yrs.
County Commissioner	Yes	12 mo. c	6 mo. c	Yes c	18 h	-	V § 18 j	4 yrs.
Constable g	Yes	12 mo. c	6 mo. c	Yes c	18 h	-	V § 18 § 86.0021 m	4 yrs.
Justice of the Peace	Yes	12 mo. c	6 mo. c	Yes c	18 h	-	V § 18 j	4 yrs.

- a. No duration specified but before date of general election.
- b. Before date of general election.
- c. As of December 13, 2021, if candidate for Democratic or Republican Party nomination. As of the date of nomination, if other party nominee for statewide, multi-county district, single-county district, county or precinct office. As of June 23, 2022, if independent candidate. As of November 8, 2022, if declared write-in candidate.
- d. The offices of state senator and state representative must be qualified voters as defined by Tex. Const. Art. VI, Sec 2. This definition provides that an individual must be eligible to register to vote but need not actually be a registered voter.
- e. Statutory qualifications may vary; contact your local party chair or the Secretary of State.
- f. Additional qualifications for sheriff: must have a high school diploma or high school equivalency degree and be eligible to be licensed under sections 1701.309, 1701.312, and 1701.502 of the Texas Occupations Code.
- g. Additional qualifications for constable: must be either (1) eligible to be licensed under sections 1701.309, 1701.312, and 1701.502 of the Texas Occupations Code AND (a) has at least an associate's degree, (b) is a special investigator under Article 2.122(a), Code of Criminal Procedure, or (c) is an honorably retired peace officer or honorably retired federal criminal investigator who holds a certificate of proficiency issued under Section 1701.357, Texas Occupations Code OR (2) an active or inactive licensed peace officer under Chapter 1701 of the Texas Occupations Code.
- h. On first day of term to be filled at election. Note: A candidate might need to be age 18 at an earlier date than the first day of the term to be filled at election if the candidate is required to be a registered voter. See offices requiring voter registration.
- i. Citation refers to an article and section number of the Texas Constitution. For general qualifications for public office, please see Section 141.001, Texas Election Code.
- j. Citation refers to section number of the Texas Natural Resources Code.
- k. Citation refers to section number of the Texas Education Code.
- l. Citation refers to an article of the Texas Constitution and a section number of the Texas Government Code.
- m. Citation refers to an article and section number of the Texas Constitution and a section number of the Texas Local Government Code.
- n. Citation refers to an article and section number of the United States Constitution.
- o. All State Board of Education positions are up for election in 2022 following redistricting in 2021. In the first post-redistricting election seven members shall serve two-year terms and eight members shall serve four-year terms. Members shall draw lots to determine who serves which terms. [Educ. Code § 7.104]
- p. All State Senate seats are up for election in 2022 following redistricting in 2021. In the first post-redistricting election members are divided into two classes; one class shall serve a 2-year term and the other class shall serve a 4-year term. Members shall draw lots to determine who serves which terms. [Tex. Const. art. 3, § 3].

Special Note 1: Please be advised that due to the removal of the staggering schedule from Article XVI, Section 65 of the Texas Constitution, there are various local offices which may have been created by your county commissioners court or the Texas Legislature but are not listed in this guide. For further information on filing for county offices not listed, please contact the county clerk's/elections administrator's office or the office of the Secretary of State.

Special Note 2: Please be advised that executive and judicial officers elected in a statewide election, state appellate and district judges, members of the State Board of Education, and district or criminal district attorneys (among others) are subject to the provisions of Chapter 572 of the Texas Government Code, which relates to personal financial disclosure, standards of conduct, and conflicts of interest issues. For further information on the applicability and requirements of Chapter 572, candidates should contact the Texas Ethics Commission.

VOTER REGISTRATION REQUIREMENTS FOR CANDIDATES

House Bill 484 amends Election Code [Section 141.001](#) to provide a new general rule (for most offices) that **a candidate must be a registered voter of the territory elected from as of the filing deadline or other [Section 141.001](#) deadline (unless outside law conflicts)**. Below is a list of questions and answers on the legislation and related procedures. This FAQ focuses on the candidacy portion of House Bill 484.

Q: Where can I read a copy of House Bill 484?

A: [House Bill 484](#) is available on the [Texas Legislature's](#) website.

Q: Should we tell candidates about the new law?

A: It is the candidates' responsibility to learn the requirements. That said, you may wish to apprise candidates of the new requirement. If you apprise candidates, you should do so uniformly; you cannot choose to tell certain candidates and not others. Remember that for the November 3, 2015 election, you cannot apply the new law to applications with the regular filing deadline, or to special elections that were ordered before September 1, 2015 (most special elections).

Q: The candidate filed his application but the VR number part is blank. Accept?

A: The voter registration (VR), or VUID number, is **not** a required component of the **face of the application** itself. The VR blank is optional on the form. If everything else is correct on the application, you may accept (depending on the outcome of any review you conduct about the VR status, explained below). In other words, the VUID number is not part of the "form, content, or procedure" review under Section 141.032. Rather, it is a question of eligibility to run for office, more like a felony conviction, which is an issue determined by documents outside the application under Section 145.003 (administrative declaration of ineligibility). See next question.

Q: Should we look up every candidate's registration status as part of our review?

A: First, your minimum statutory duty is reviewing the face of the application under Section 141.032. You can rely on the candidate's oath and presume that all of the statements on the application are true and that the candidate is eligible for the office, if on the face of the application, he or she appears to be so.

However, once you have met that minimum duty, we recommend that you look up the voter registration status of each candidate to determine if the candidate is indeed registered to vote. In that sense, this is like the review of a petition in lieu of filing fee, where the reviewer can rely on the affidavit, **or** look up the registered voter status. If you look up one candidate's status, you should look up everyone's. Our new application forms (revised 2015) reflect our recommendation to check registration status, as they now have a check-box for indicating this review of the registration status by the filing authority.

Note that under Section 145.003 (declaration of ineligibility), you **must** respond to any paperwork presented to you alleging lack of VR status by reviewing what is presented to determine if it is a conclusive public record of ineligibility.

Q: I have a candidate who applied to vote, but the effective date of registration is after the filing period. Is that enough?

A: No. The Election Code definition of registered voter is one whose registration is effective. Section 1.005, Election Code. Therefore, the registration must be effective by the filing deadline for a place on the ballot. A declared write-in must be registered by election day. See [Section 141.001](#). Per Section 13.143, the registration becomes effective on the 30th day after the date the application is submitted to the registrar or on the date the applicant becomes 18 years of age, whichever is later.

Q: Does the VR address have to match exactly the address on the application form?

A: No. The new law just says the candidate must be a registered voter **of the territory from which the office is elected**.

You cannot make the law stricter than it is; however, you will need to keep the territory in mind. Example: In the case of single-member district election, in addition to checking the entity as a whole, you will need to check to see if the voter registration address is in the single-member district the candidate is running for.

Millions of Texans move and do not update their registration addresses right away. This is not fatal to the application (if the registration address is still in the territory). It does not affect the filing authority's judgment of the residence address portions of the application.

If a candidate is not registered at the address listed on the application for a place on the ballot, you may alert the candidate to the issue, as the candidate might be on the suspense list (as long as you alert candidates uniformly).

Q: It looks as if the candidate is not a registered voter of the area elected from, but I think there has been some mistake. I remember they voted in our bond election last year. What next?

A: Short answer: check with the registrar's office to see if there was a mistake.

Remember the basis for a rejection of a candidate's application for a place on the ballot is a conclusive public record. Section 145.003. If there is reason to believe there was a mistake in the voter registration information, that renders the registration record less conclusive.

As general advice, we recommend asking the voter registrar for voting history as well as voter registration status. Seeing the voting history might alert the registrar to the problem (for example, someone voting provisionally who was not processed correctly as an application for registration).

Q: I thought if there was a mistake on the application it couldn't be fixed – the candidate has to start over?

A: That general idea is correct for a fatal mistake on the **face of the application** (such as leaving a blank at "office sought"). As noted above, the VR number is not required to be on the **face of the application**. Section 141.032. This problem (like whether there is a final felony conviction) is a matter of records outside of the face of the application. Section 145.003. This is the case even when information on the application is used to look up voter registration or other information.

Q: There seems to have been a mistake in the VR process. The registrar's office is researching this for us, but the deadline for declaring the candidate ineligible is approaching. What if we don't resolve the issue in time for the deadline?

A: A declaration of ineligibility must be based on a "conclusive" public record. Election Code Section 145.003. If there is anything about the situation that renders the voter registration records inconclusive, you should err in favor of the candidate. Consult your local counsel before making your final decision if possible.

Example 1: Candidate says he or she updated the registration at the time their driver's license was updated. The registrar is checking this out, as their office has not received anything from DPS.

Example 2: Candidate appears to have been deleted from the registration records after several years on the suspense list. However, it appears from the voting history that the candidate voted during the time that an update should have occurred. The county is researching their election records to check.

Q: The candidate's address is very near a boundary line. Based on the registration address, we think the candidate's registration address is inside the required territory. However, the VR list indicates the candidate's registration address is outside the territory.

A: This is a common occurrence when the boundary line is close. The county registrar officials do the best they can with the most recent boundary and mapping information you give them. You (the city, school district, hospital district) are the authorized expert about your own boundaries. If you (the filing authority) determine the address is inside your boundary, you should make the final call. Then (as needed) advise the VR to correct their records.

Q: The candidate's lack of voter registration in the territory was not discovered until it was too late to omit him from the ballot. The candidate did get registered in time to vote on election day, and won. An opponent has challenged the candidate under Section 145.003, and wants the presiding officer to declare the candidate ineligible at the canvassing meeting. Should our presiding officer do this?

A: No. If the candidate becomes registered in time to be sworn in, we strongly recommend against using the "second window" of time to declare the candidate ineligible under Section 145.003, for the following reasons.

Section 145.003 has two time periods when a candidate may be declared ineligible. In the "second window," the presiding officer of the final canvassing authority for the office sought by a candidate may declare the candidate ineligible after the polls close on election day and (with limited exceptions), before a certificate of election is issued. This second window could clearly be used, for example, in the case of a final felony conviction.

However, House Bill 484 amended both the Election Code **and the Government Code**. Government Code Section 601.009 provides that a candidate cannot be sworn in unless he or she is a registered voter. (That is the general rule; some offices have exclusive requirements.) In other words, HB 484 has a kind of "second deadline" to be registered. In this example, the candidate was registered in time for the second deadline. The presiding officer would be declaring the candidate ineligible based on the earlier deadline in the Election Code, when the candidate has since become eligible for purposes of the Government Code. (There are also various laws governing local entities like cities and school districts, which provide that the officer must be a voter at the time of the election; in this example, the candidate has met those deadlines as well.) Section 145.003 is premised on the idea that the candidate is **conclusively** ineligible. The courts tend to construe any ambiguity in a candidate's favor. Accordingly, once the candidate has met the "second deadline," we recommend against declaring him or her ineligible under Section 145.003.

NOTE: In the most common scenario, the candidate realizes he or she needs to get registered by election day in order to vote, and succeeds in doing so. If you have a different scenario, please contact us for advice.

Q: Does House Bill 484 affect party chairs in the primary?

A: Candidates for county or precinct chair must be a qualified voter of the county, based on a different law. Section 161.005.

As there are a variety of scenarios, we stand ready to advise you on a case by case basis.

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AF:CG:MB

MARCH 1, 2022 - PRIMARY ELECTION

Deadline To Post Candidate Requirements ¹ Form 1-15 (PDF)	Monday, March 1, 2021
First Day To File For A Place On The Primary Ballot For Precinct Chair Candidates	Tuesday, September 14, 2021
Filing Deadline For Candidates; Filing Deadline For Independent Candidates To File Declaration Of Intent	Monday, December 13, 2021 At 6:00 PM
First Day To Apply For A Ballot By Mail Using Application For A Ballot By Mail (ABBM) Or Federal Post Card Application (FPCA)	Saturday, January 1, 2022* <small>*First Day To File Does Not Move Because Of New Year's Day Holiday. An "Annual ABBM" Or FPCA For A January Or February 2022 Election May Be Filed Earlier, But Not Earlier Than The 60th Day Before The Date Of The January Or February Election.</small>
Last Day To Register To Vote	Monday, January 31, 2022
First Day Of Early Voting By Personal Appearance	Monday, February 14, 2022
Last Day To Apply For Ballot By Mail (Received, <u>Not</u> Postmarked)	Friday, February 18, 2022
Last Day Of Early Voting By Personal Appearance	Friday, February 25, 2022
Last Day To Receive Ballot By Mail	Tuesday, March 1, 2022 (ELECTION DAY) At 7:00 P.M. <small>If Carrier Envelope Is Not Postmarked, OR Thursday, March 3, 2022 (Next Business Day* After Election Day) At 5:00 P.M. If Carrier Envelope Is Postmarked By 7:00 P.M. At The Location Of The Election On Election Day (Unless Overseas Or Military Voter Deadlines Apply)⁴ *First Business Day After Texas Independence Day</small>

1 Section 2051.152 of the Government Code requires all political subdivisions with the authority to impose a tax maintain a publically accessible Internet website and post the date and location of the next election for officers of the political subdivision and the requirements and deadline for filing for candidacy of each elected office of the political subdivision, which shall be continuously posted for at least one year before the election day for the office.

2 Filing deadlines: generally, the filing deadline is the 78th day prior to Election Day. The Code may provide a different special election filing deadline. See Section 201.054 of the Texas Election Code (the "Code"). Write-in deadlines for general and special elections vary; the deadline for most local (city, school, other) special elections is now the same day as the filing deadline for application for a place on the ballot in a May election or November election.

3 If no candidate for a four-year term has filed an application for a place on the ballot for a city office, the filing deadline for that office is extended to 5 p.m. of the 57th day before the election. For the May 7, 2022 election, this is Friday, March 11, 2022. See Section 143.008 of the Code.

4 Different deadlines apply to the last day to receive ballots sent by the following: 1) non-military and military voters who mailed ballots from overseas and submitted a regular state Application for Ballot By Mail ("ABBM"), 2) non-military voters who mailed ballots from overseas and who submitted a Federal Postcard Application ("FPCA"), and (3) military voters who mailed ballots domestically or from overseas and who submitted an FPCA. See Secs. 86.007, 101.001 and 101.057 of the Code. Please contact the Elections Division of the Office of the Texas Secretary of State at 1-800-252-VOTE (8683) for additional information.

MAY 24, 2022 - PRIMARY RUNOFF ELECTION

First Day To Apply For A Ballot By Mail Using Application For A Ballot By Mail (ABBM) Or Federal Post Card Application (FPCA)	Saturday, January 1, 2022* <small>*First Day To File Does Not Move Because Of New Year's Day Holiday. An "Annual ABBM" Or FPCA For A January Or February 2022 Election May Be Filed Earlier, But Not Earlier Than The 60th Day Before The Date Of The January Or February Election.</small>
Last Day To Register To Vote	Monday, April 25, 2022
Last Day To Apply For Ballot By Mail (Received, <u>Not</u> Postmarked)	Friday, May 13, 2022
First Day Of Early Voting By Personal Appearance	Monday, May 16, 2022
Last Day Of Early Voting By Personal Appearance	Friday, May 20, 2022
Last Day To Receive Ballot By Mail	Tuesday, May 24, 2022 (ELECTION DAY) At 7:00 P.M. <small>If Carrier Envelope Is Not Postmarked, OR Wednesday, May 25, 2022 (Next Business Day After Election Day) At 5:00 P.M. If Carrier Envelope Is Postmarked By 7:00 P.M. At The Location Of The Election On Election Day (Unless Overseas Or Military Voter Deadlines Apply)⁴</small>

1 Section 2051.152 of the Government Code requires all political subdivisions with the authority to impose a tax maintain a publically accessible Internet website and post the date and location of the next election for officers of the political subdivision and the requirements and deadline for filing for candidacy of each elected office of the political subdivision, which shall be continuously posted for at least one year before the election day for the office.

2 Filing deadlines: generally, the filing deadline is the 78th day prior to Election Day. The Code may provide a different special election filing deadline. See Section 201.054 of the Texas Election Code (the "Code"). Write-in deadlines for general and special elections vary; the deadline for most local (city, school, other) special elections is now the same day as the filing deadline for application for a place on the ballot in a May election or November election.

3If no candidate for a four-year term has filed an application for a place on the ballot for a city office, the filing deadline for that office is extended to 5 p.m. of the 57th day before the election. For the May 7, 2022 election, this is Friday, March 11, 2022. See Section 143.008 of the Code.

4 Different deadlines apply to the last day to receive ballots sent by the following: 1) non-military and military voters who mailed ballots from overseas and submitted a regular state Application for Ballot By Mail ("ABBM"), 2) non-military voters who mailed ballots from overseas and who submitted a Federal Postcard Application ("FPCA"), and (3) military voters who mailed ballots domestically or from overseas and who submitted an FPCA. See Secs. 86.007, 101.001 and 101.057 of the Code. Please contact the Elections Division of the Office of the Texas Secretary of State at 1-800-252-VOTE (8683) for additional information.

NOVEMBER 8, 2022 – NOVEMBER GENERAL ELECTION

Deadline To Post Candidate Requirements ¹ Form 1-15 (Pdf)	Monday, November 8, 2021
Deadline To Post Notice Of Candidate Filing Deadline (Local Political Subdivisions Only)	Thursday, June 23, 2022 For Local Political Subdivisions That Have A First Day To File For Their Candidates ¹
First Day To Apply For A Ballot By Mail Using Application For A Ballot By Mail (ABBM) Or Federal Post Card Application (FPCA)	Saturday, January 1, 2022* *First Day To File Does Not Move Because Of New Year's Day Holiday. An "Annual ABBM" Or FPCA For A January Or February 2022 Election May Be Filed Earlier, But Not Earlier Than The 60th Day Before The Date Of The January Or February Election.
First Day To File For A Place On The General Election Ballot (Local Political Subdivisions Only)	Saturday, July 23, 2022
First Day To File A Declaration Of Write-In Candidacy (General Election for State and County Officers)	Saturday, July 23, 2022
Last Day To Order General Election Or Special Election On A Measure	Monday, August 22, 2022
Last Day To File For A Place On The General Election Ballot (Local Political Subdivisions Only) ²	Monday, August 22, 2022 At 5:00 P.M.
Last Day To File A Declaration Of Write-In Candidacy (General Election for State and County Officers)	Monday, August 22, 2022
Last Day To File A Declaration Of Write-In Candidacy (Local Political Subdivisions Only)	Friday, August 26, 2022
Last Day To Register To Vote	Tuesday, October 11, 2022* *First business day after Columbus Day
First Day Of Early Voting By Personal Appearance	Monday, October 24, 2022
Last Day To Apply For Ballot By Mail (<i>Received, <u>Not</u> Postmarked</i>)	Friday, October 28, 2022
Last Day Of Early Voting By Personal Appearance	Friday, November 4, 2022
Last Day To Receive Ballot By Mail	Tuesday, November 8, 2022 (ELECTION DAY) At 7:00 P.M. If Carrier Envelope Is Not Postmarked, OR Wednesday, November 9, 2022 (Next Business Day After Election Day) At 5:00 P.M. If Carrier Envelope Is Postmarked By 7:00 P.M. At The Location Of The Election On Election Day (Unless Overseas Or Military Voter Deadlines Apply) ⁴

1 Section 2051.152 of the Government Code requires all political subdivisions with the authority to impose a tax maintain a publically accessible Internet website and post the date and location of the next election for officers of the political subdivision and the requirements and deadline for filing for candidacy of each elected office of the political subdivision, which shall be continuously posted for at least one year before the election day for the office.

2 Filing deadlines: generally, the filing deadline is the 78th day prior to Election Day. The Code may provide a different special election filing deadline. See Section 201.054 of the Texas Election Code (the "Code"). Write-in deadlines for general and special elections vary; the deadline for most local (city, school, other) special elections is now the same day as the filing deadline for application for a place on the ballot in a May election or November election.

3 If no candidate for a four-year term has filed an application for a place on the ballot for a city office, the filing deadline for that office is extended to 5 p.m. of the 57th day before the election. For the May 7, 2022 election, this is Friday, March 11, 2022. See Section 143.008 of the Code.

4 Different deadlines apply to the last day to receive ballots sent by the following: 1) non-military and military voters who mailed ballots from overseas and submitted a regular state Application for Ballot By Mail ("ABBM"), 2) non-military voters who mailed ballots from overseas and who submitted a Federal Postcard Application ("FPCA"), and (3) military voters who mailed ballots domestically or from overseas and who submitted an FPCA. See Secs. 86.007, 101.001 and 101.057 of the Code. Please contact the Elections Division of the Office of the Texas Secretary of State at 1-800-252-VOTE (8683) for additional information.

IMPORTANT DATES FOR THE PARTY CONVENTIONS, PRIMARY ELECTIONS, AND GENERAL ELECTION

NOTE: Please note that information on this page is subject to change as a result of legislation or court order

SEPTEMBER 2021

September 14, 2021

First day the county chairs may accept applications for a place on the ballot, for the office of **precinct chair**. TEC § 172.023(b).

NOVEMBER 2021

November 13, 2021

First day the Republican or Democratic Party candidate may file an application for a place on the primary ballot. TEC § 172.023(b).

First day the county chairs may accept applications for a place on the primary ballot for the office of **county chair**. TEC § 172.023(b).

First day independent candidates may file a declaration of intent to run. TEC §§ 142.002(b), 172.023.

November 30, 2021

If there is a vacancy for an unexpired term in a state or county office after the 10th day before the candidacy filing deadline, but on or before the 5th day before the deadline (on or after December 3 and on or before December 8), an application for the unexpired term is subject to an extended filing deadline. **See entry at December 20, 2021.** TEC § 202.004(a), (c).

DECEMBER 2021

December 8, 2021

Last day a vacancy for an unexpired term may occur, for that seat to appear on the primary ballot. TEC § 202.004(a).

December 12, 2021

Deadline for the county chair (or the secretary of the county executive committee) to post, on the political party's **Internet website or where a candidate files their application**, a notice containing the addresses at which the county chair and the secretary will be accepting applications on the last day for filing an application. TEC § 172.022(b)

DECEMBER 2021 (Continued)

December 13, 2021

Last day Democratic or Republican Party candidates may file an application for a place on the primary ballot (6 p.m.). TEC § 172.023(a).

NOTE: This is also the deadline for applications for an unexpired term in a state or county office that occurred on or before the 10th day before the date of the filing deadline. TEC § 202.004(b). **See entry at December 20, 2021 for Extended Deadlines.**

Last day the county chairs may accept applications for the office of **county or precinct chair** (6 p.m.). TEC § 172.023(a).

Last day independent candidates may file a declaration of intent to run (6 p.m.). TEC §§ 142.002, 172.023(a). Last day minor party candidates may file applications and submit filing fee or petition in lieu of filing fee to applicable filing authority in order to be nominated by convention (6 p.m.). TEC § 181.033(a). A political party, by rule, may extend the filing deadline for applications for nomination for an office for which a candidate withdraws, dies, or is declared ineligible. TEC § 181.033(b).

December 14, 2021

If a candidate withdraws, dies, or is declared ineligible by this date, the candidate's name is omitted from the primary ballot. TEC §§ 172.057(a), 172.058(a).

December 20, 2021

Deadline for the state or county chair, as applicable, to **receive** applications under an extended filing period due to a vacancy for an unexpired term in a state or county office, that occurred after the 10th day before the candidacy filing deadline, but on or before the 5th day before the deadline (on or after December 3 and on or before December 8, 2021), TEC § 202.004(a), (c). (This deadline is extended to Monday, December 20, 2021 by TEC § 1.006 due to the 5th day after the date of the regular filing deadline for the general primary election falling on Saturday, December 18.)

Extended Deadline (6 p.m.) for the state or county chair to receive a new application for an office for which the applicant:

- dies on or after the fifth day before the filing deadline (December 8, 2021) and on or before the first day after the filing deadline (December 14, 2021);
- holds the office for which the application was made, and withdraws or is declared ineligible on the filing deadline (December 13, 2021) or on the first day after the filing deadline (December 14, 2021); or
- withdraws or is declared ineligible on the filing deadline (December 13, 2021) or on the first day after the filing deadline (December 14, 2021), and at the time of the withdrawal or declaration of ineligibility no other candidate has made an application that complies with the applicable requirements. TEC § 172.054(b).

(This deadline is extended to Monday, December 20, 2021 by TEC § 1.006 due to the 5th day after the date of the regular filing deadline for the general primary election falling on Saturday, December 18.) **NOTE:** An application filed by mail with the state chair under this Extended Deadline provision is not timely, if received later than 5:00 p.m. on the Extended Deadline.

Last day candidates may file a declaration of write-in candidacy for county or precinct chair if write-ins are authorized by the county executive committee (6 p.m.). TEC § 171.0231(d). (This deadline is extended to Monday, December 20, 2021 by TEC § 1.006 due to the 5th day after the date of the regular filing deadline for the general primary election falling on Saturday, December 18.)

DECEMBER 2021 (Continued)

December 21, 2021

Deadline for the state chair to certify to the Secretary of State (SOS), the name of each candidate who files an application for a place on the primary ballot that complies with TEC § 172.021(b) **on or before December 13, 2021**. TEC § 172.028(a).

December 22, 2021

Date SOS anticipates posting the certified list, provided by state chairs, of candidates who filed **on or before December 13, 2021**, on its public website. TEC § 172.028(a).

Deadline for the state chair to notify the county chair of each county in which the candidate will appear on the ballot that the certified list has been posted by SOS. TEC § 172.028(b). **See entry at December 23, 2021** for supplemental notification of certification of candidates who filed with the state chair **on or before the Extended Deadline of December 20, 2021**.

Deadline for the state executive committee to set the date, hour, and place for convening the state convention. TEC §§ 174.092, 174.093.

NOTE: TEC § 174.092(b) provides that the state executive committee must set the date, hour, and place for convening the state convention **not later than the date the state chair delivers to the county chairs the certification** of names to be placed on the general primary ballot. However, the state chair no longer certifies names of the district and statewide candidates for the primary ballot to county chairs. Instead, the state chair certifies candidate names to the Secretary of State, which posts candidate names on its website. TEC § 172.028(b) provides that the state chair must **notify the county chair in each county not later than the 9th day after the regular filing deadline** that the certification has been posted by Secretary of State. Accordingly, the calendar continues to show the **9th day after the regular filing deadline** as the deadline for state executive committee to set the date, hour, and place for convening the state convention.

Deadline for the chair to post notice on the commissioners court bulletin board 24 hours before the date, hour, and place of the ballot drawing if the drawing is conducted on December 23, 2021. If the party has a website, they must post notice on the party's website. All candidates who provide an email address on their filing form must be notified electronically. TEC § 172.082(e).

December 23, 2021

Deadline for the county chair or county chair's designee to conduct the drawing for the order of candidates on the ballot at the county seat (unless the committee provides by resolution that the county executive committee is to conduct drawing). TEC § 172.082(c).

Recommended deadline for the state chair to certify to SOS the list of candidates who filed an application that complies with Section 172.021(b) of the TEC **after December 13, 2021 and on or before December 20, 2021**. TEC §§ 172.028(a), 172.029.

NOTE: The purpose of this recommendation is to ensure that candidates whose applications are filed in accordance with the Extended Deadlines under TEC § 202.004(a) and TEC § 172.054(b) are added to the list of certified candidates previously submitted by the state chair to the SOS. *See entries at December 20, 2021 and December 29, 2021*

DECEMBER 2021 (Continued)

December 29, 2021

Date by which Secretary of State anticipates posting on Secretary of State's Internet website, that is viewable by the public, additions to the certified list of candidates provided by state chair that are the result of the additional candidates who filed **on or before December 20, 2021 in accordance with the Extended Deadlines**. TEC §§ 172.028(a), 172.029.

Recommended date for state chair to notify county chair in each county in which the candidate's name is to appear on the ballot that certification of additional candidates who filed by the **Extended Deadline on or before December 20, 2021** has been posted by Secretary of State. TEC §§ 172.028(b), 172.056, See entries at December 20, 2021 and December 23, 2021.

JANUARY 2022

January 1, 2022

First day for voters to submit an application for a ballot by mail for **March 1** primary election, or for **both** the **March 1** primary election and **May 24** runoff primary election. TEC §§ 84.001(e), 84.007.

January 3, 2022

Recommended deadline for the county chair and the state chair to electronically submit certain candidate information (including information on candidates for county and precinct chair) to the county election officer, the state chair, and the SOS. TEC § 172.029(c).

Recommended date for the county chair to submit the ballot format to the primary committee for its approval, and for the county chair to order ballots. TEC §§ 86.004(b), 172.083.

January 15, 2022

Deadline for the early voting clerk to mail ballots for the primary election to those overseas voters from whom the clerk has already received applications for ballots by mail or federal postcard applications ("FPCA"). TEC § 86.004(b).

January 31, 2022

Last day citizens may register to vote in **March 1** primary election. TEC § 13.143(a). (This deadline is extended by TEC § 13.143(e) from the 30th day before election day, which falls on Sunday, January 30, 2022.)

FEBRUARY 2022

February 14, 2022

First day of early voting by personal appearance for **March 1** primary election. TEC § 85.001(a), (c). (This date is extended to Monday, February 14, 2022 by TEC § 1.006 because the 17th day before election day is Saturday, February 12, 2022.)

February 18, 2022

Last day for early voting clerk to receive application for ballot by mail for **March 1** primary election. TEC § 84.007(c).

Last day for early voting clerk to receive an FPCA for **March 1** primary election. TEC §§ 101.052(g), 114.004(c).

Note: BOTH FPCAs and ABBMs must be received by the 11th day before election day.

February 25, 2022

Last day of early voting by personal appearance for **March 1** primary election. TEC § 85.001(a).

MARCH 2022

March 1, 2022

Primary election day. TEC § 41.007(a).

March 2, 2022

First day independent candidates for offices **not** involved in runoff primary election may collect signatures for petitions in connection with applications. TEC § 142.009.

March 7, 2022

Last day to post notice of county executive committee's meeting to canvass returns of primary election because canvass must take place on March 10, 2022. Notice must be posted at least 72 hours before scheduled time of meeting. TEC § 172.116; Texas Government Code §§ 551.002, 551.041, 551.043.

March 8, 2022

Precinct conventions held to elect delegates to county or district conventions of minor parties. TEC §§ 181.061(c), 182.005.

March 10, 2022

Local canvass of the primary election by county chair and at least one member of the county executive committee, selected by the county executive committee, must be conducted on this date. TEC § 172.116(b).

Last day to post notice of state executive committee's meeting to canvass returns of primary election because state canvass must take place on March 13, 2022. Notice must be posted at least 72 hours before the scheduled time of the meeting. TEC § 172.120; Texas Government Code §§ 551.002, 551.041, 551.043.

MARCH 2022 (Continued)

March 12, 2022

County convention for minor parties that are nominating candidates for single-county district, county, or precinct offices. TEC §§ 181.061(c), 182.005.

March 13, 2022

Deadline for state executive committee to conduct state canvass for all races with potential runoffs (races with three or more candidates). See entry under March 23, 2022. State chair must certify these candidates for statewide and district offices for placement on runoff primary election ballot to county chair as soon as practicable after canvass is completed. TEC §§ 172.120(b)(1), 172.121.

March 16, 2022

Last day runoff primary candidates may withdraw from ballot (5 p.m.), if the state canvass was held on March 13, 2022. TEC § 172.059.

March 17, 2022

Recommended deadline if state canvass is held on March 13, 2022 for state chair to certify candidates for statewide and district offices for placement on runoff primary ballot. TEC § 172.121.

March 19, 2022

District convention for minor parties nominating candidates for multi-county district offices. TEC § 181.061(b).

March 23, 2022

Deadline for state executive committee to conduct state canvass for races with no potential runoff. TEC § 172.120(b)(2). See entry under March 13, 2022.

March 30, 2022

Deadline for county chair to post notice on the Secretary of State's website of the names of the persons elected as county chair and precinct chairs for the county. TEC § 172.118.

APRIL 2022

April 25, 2022

Last day to register to vote in **May 24 runoff** primary election. TEC § 13.143(a). (This deadline is extended by TEC § 13.143(e) from the 30th day before election day, which falls on Sunday, April 24.)

MAY 2022

May 13, 2022

Last day for early voting clerk to receive application for ballot by mail for **May 24 runoff** primary election. TEC § 84.007(c).

Last day for early voting clerk to receive an FPCA for **May 24 runoff** primary election. TEC §§ 101.052(g), 114.004(c).

May 16, 2022

First day of early voting by personal appearance for **May 24 runoff** primary election. TEC § 85.001(b), (c). (This date is extended to Monday, May 16, 2022 by TEC § 1.006 because the 10th day before election day is Saturday, May 14, 2022.)

May 20, 2022

Last day of early voting in person for **May 24 runoff** primary election. TEC § 142.009.

May 23, 2022

Last day party chairs of new political parties may submit petitions and precinct convention lists to Secretary of State and to the appropriate county clerk (or other county election official) to secure placement of candidates on the November general election ballot. TEC §§ 181.005(a), 181.006(b)(3), 181.061(c), 182.003, 182.004. (This date is extended to Monday, May 23, 2022 by TEC § 1.006 because the 75th day after the date of the precinct conventions is Sunday, May 22, 2022.)

May 24, 2022

Runoff primary election day. TEC § 41.007(b).

May 25, 2022

First day independent candidates for offices involved in runoff election may collect signatures for applications. TEC § 142.009.

May 30, 2022

Last day to post notice of meeting to canvass returns of runoff primary election because canvass must take place on June 2, 2022. Notice must be posted at least 72 hours before scheduled time of meeting. TEC § 172.116; Texas Government Code §§ 551.002, 551.041, 551.043

JUNE 2022

June 2, 2022

Local canvass of the runoff primary election by county chair and at least one member of the county executive committee, selected by the county executive committee, must be conducted on this date. TEC § 172.116(b).

June 3, 2022

Deadline for county clerk to submit canvassed returns for statewide and district offices to Secretary of State. TEC § 67.007(d).

June 8, 2022

Last day to post notice of state executive committee's meeting to canvass returns of runoff primary election if state canvass takes place on June 11, 2022. Notice must be posted at least 72 hours before the scheduled time of the meeting. TEC § 172.120; Texas Government Code §§ 551.002, 551.041, 551.043.

June 11, 2022

State canvass of the runoff primary election by the state chair. TEC § 172.120(b-1).

June 13, 2022

New party officers take office. TEC § 171.022(c).

June 23, 2022

Last day independent candidates may file applications and petitions (5 p.m.). TEC § 142.006.

JULY 2022

July 23, 2022

First day candidates may file a declaration of write-in candidacy for November 8 general election. TEC § 146.025.

AUGUST 2022

August 22, 2022

Last day candidates may file declaration of write-in candidacy for November 8 general election. TEC § 146.025.

August 26, 2022

Last day candidates may withdraw from or be declared ineligible for general election. TEC §§ 145.032, 145.035.

OCTOBER 2022

October 10, 2022

Last day citizens may register to vote in November 8 general election. TEC § 13.143(a). (This deadline is extended by TEC § 13.143(e) from the 30th day before election day, which falls on Sunday, October 9, to the next business day.)

October 24, 2022

First day of early voting by personal appearance for November 8 general election. TEC § 85.001(a). (This date is extended to Monday, October 24, 2022 by TEC § 1.006 because the 17th day before election day is Saturday, October 22, 2022.)

October 28, 2022

Last day for early voting clerk to receive application for ballot by mail for November 8 general election. TEC § 84.007(c).

Last day for early voting clerk to receive FPCA for November 8 general election. TEC §§ 101.052(g), 114.004(c).

NOVEMBER 2022

November 4, 2022

Last day of early voting by personal appearance for November 8 general election. TEC § 85.001(a).

November 8, 2022

General election day. TEC § 41.002.

NOTE CONCERNING CONVENTIONS OF PARTIES HOLDING PRIMARY ELECTIONS

Precinct Conventions

Time and Place: Precinct conventions may be held at a time and place determined by rules adopted by the state executive committee of a political party. If precinct conventions are held on the general primary election day, the hour for convening may not be earlier than 7:00 p.m. or later than 9:00 p.m., but a convention may not convene until the last voter has voted at the precinct polling place. If precinct conventions are held on a day other than the general primary election day, the county executive committee must set the hour for convening or a time frame in which the convention must convene. TEC §§ 174.021, 174.022.

Notice Required: The county chair must post notice of the date, hour, and place for convening the precinct convention, on the county or the state party's Internet website or another Internet location easily found through a search engine. If the county party does not maintain an Internet website, the chair shall post notice on the county commissioners court bulletin board. Notice must remain posted continuously for the 10 days leading up to the date of the convention. Because convention times are not yet determined, this calendar does not show any deadlines for posting such notices. Not later than the 10th day before the date of the precinct conventions, the county chair must deliver to the county election officer, written notice **either on paper or in electronic form**, of the date, hour, and place for convening each precinct convention. TEC § 174.023(a), (b).

County and Senatorial Conventions

Time and Place: The state executive committee, by rule, must specify the date and the county for the senatorial conventions. The political party may, by rule, allow a county to hold the precinct conventions before the county convention on the same day and at the same place. TEC §§ 172.021, 174.063(a).

Notice Required: Notice of the hour and date for convening the county convention must be posted electronically on the county or the state party's Internet website or on the bulletin board used for posting notice of meetings of the commissioners court. Notice must remain posted continuously for the 10 days leading up to the date of convention. Because convention times are not yet determined, this calendar does not show any deadlines for posting such notices. Not later than the 10th day before the date of the county and the senatorial convention, the county chair must deliver, to the county election officer, written notice **either on paper or in electronic form**, of the date, hour, and place for convening county and senatorial convention. TEC § 174.064(a), (b).

State Conventions

The biennial state convention must be convened on a date selected by the state executive committee. The state convention date is no longer limited to June or July. The state executive committee must set the date of the state convention not later than the date the state chair delivers to the county chairs, the certification of candidate names for the primary election ballot. **See entry at December 20, 2021.** Accordingly, this calendar does not show any deadline or period for holding the state convention. Notice of the date, hour, and place for convening the state convention must be posted by the state chair on the party's Internet website, before the date of the party's precinct conventions. TEC §§ 174.092, 174.093.

REFUGIO COUNTY PARTY CHAIRS

DEMOCRATIC PARTY

Note:

Refugio County is currently without representation of a local Democratic Party Chair.

Must contact the state party chair for more information:

(571) 289-7974

E-mail: rose@txdemocrats.org

Candidates wishing to file for a place on the ballot may contact Rose Clouston at (571) 289-7974 or rose@txdemocrats.org

REPUBLICAN PARTY

Jeffrey Steele

Republican Party Chair

606 Oak St.

Refugio, Texas 78377

(361) 526-4976 Home

(361) 935-3842 Cell

E-mail: steelej44@gmail.com

FILING IN THE 2022 REPUBLICAN OR DEMOCRATIC PRIMARY ELECTION

NOTE: Please note that information on this page is subject to change as a result of legislation or court order

Candidates seeking the nomination of the Democratic or Republican Party must file:

(1) a candidate application, and

(2) a filing fee or petition in lieu of filing fee

Please note, the application along with the filing fee or petition in lieu of filing fee must be filed at the same time with the proper filing authority.

- **Filing Period**

- The application must be filed between **November 13, 2021 and 6:00 p.m. on December 13, 2021**. (Section 172.023, Texas Election Code).

- **Candidate Application**

- In order to become the Republican or Democratic Party nominee for a particular office, you must file an [application \(PDF\)](#) for a place on the ballot with the county or state party chair, as appropriate (see chart). (Section 172.022, Texas Election Code).
- Candidates for federal office must file a [federal application \(PDF\)](#).

- **Filing Fee or Petition in Lieu of Filing Fee**

- The application for a place on the primary ballot must be accompanied by either a filing fee or a [petition in lieu of filing fee \(PDF\)](#) signed by a certain number of qualified voters.
- For details on the filing fee amount or number of petition signatures needed, see chart below.

- **Judicial Candidate Petitions**

- Certain judicial candidates in Bexar, Dallas, Harris, Tarrant and Travis must file [additional petitions \(PDF\)](#).
- Certain statewide judicial candidates must also file additional petitions using the [Statewide Judicial Office on Primary Ballot petition form \(PDF\)](#)

See our FAQs on Party Affiliation and Candidacy for more details about how primary voting or candidacy affects (or does not affect) candidacy in the general election.

DEMOCRATIC OR REPUBLICAN PARTY NOMINEE

Public Office Sought in 2022	File App. with Party Chair		Filing Fee	Nominating Petition in Lieu of Filing Fee	
	State	County		%Signatures ^c	Number of Signatures ^b
United States Representative	x ^a	-	\$3,125	2%	500
Governor	x	-	\$3,750	-	5000
Lieutenant Governor	x	-	\$3,750	-	5000
Attorney General	x	-	\$3,750	-	5000
Comptroller of Public Accounts	x	-	\$3,750	-	5000
Commissioner of General Land Office	x	-	\$3,750	-	5000
Commissioner of Agriculture	x	-	\$3,750	-	5000
Railroad Commissioner	x	-	\$3,750	-	5000
Justice, Supreme Court ^a	x	-	\$3,750	-	5000
Judge, Court of Criminal Appeals ^a	x	-	\$3,750	-	5000
State Senator	x ^a	-	\$1,250	2%	500
State Representative	x ^a	-	\$750	2%	500
Member, State Board of Education	x ^a	-	\$300	2%	500
Chief Justice and Justice, Court of Appeals ^b	x ^a	-	\$2,500 /\$1,875 ^e	2%	500
District Judge ^b	x ^a	-	\$2,500 /\$1,500 ^f	2%	500
Criminal District Judge ^b	x ^a	-	\$2,500 /\$1,500 ^f	2%	500
Family District Judge ^b	x ^a	-	\$2,500 /\$1,500 ^f	2%	500
District Attorney	x ^a	-	\$1,250	2%	500
Criminal District Attorney	x ^a	-	\$1,250	2%	500
County Judge	-	x	\$1,250 /\$750 ^d	2%	500
Judge, County Court-at-Law ^b	-	x	\$2,500 /\$1,500 ^f	2%	500
Judge, County Criminal Court ^b	-	x	\$2,500 /\$1,500 ^f	2%	500
Judge, County Probate Court ^b	-	x	\$2,500 /\$1,500 ^f	2%	500
County Attorney	-	x	\$1,250 /\$750 ^d	2%	500
Sheriff	-	x	\$1,250 /\$750 ^d	2%	500
Tax Assessor-Collector	-	x	\$1,250 /\$750 ^d	2%	500
District Clerk	-	x	\$1,250 /\$750 ^d	2%	500
County Clerk	-	x	\$1,250 /\$750 ^d	2%	500
District/County Clerk	-	x	\$1,250 /\$750 ^d	2%	500
County Surveyor	-	x	\$75	2%	500
County Treasurer	-	x	\$1,250 /\$750 ^d	2%	500
County Commissioner (Precinct 2 & Precinct 4)	-	x	\$1,250 /\$750 ^d	2%	500
Constable	-	x	\$1,000 /\$375 ^d	2%	500
Justice of the Peace ^b	-	x	\$1,000 /\$375 ^d	2%	500
Source: Texas Election Code Section	§172.022		§172.024	§172.025	

- a. File with county chair if district is comprised of only one county.
- b. Senate Bill 44 (2017) reinstituted the petition requirement for certain judicial candidates. For candidates running for Courts of Appeals in the 1st, 2nd, 3rd, 4th, 5th and 14th Districts **and all candidates running for judicial offices** in Bexar, Dallas, Harris and Tarrant Counties, a 250-signature judicial petition is required in addition to the filing fee, or 750 signatures must be collected on the petition in lieu of filing fee.
- c. Percentage of all votes for all gubernatorial candidates cast in the applicable territory in the 2018 general election. If number is less than 50, the required number of signatures is the lesser of (1) 50 or (2) 20% of all votes for all gubernatorial candidates cast in the applicable territory in the 2018 general election.
- d. Pay higher fee if county has at least 200,000 inhabitants according to 2010 Census.
- e. Pay higher fee in Courts of Appeals Districts 1, 2, 3, 4, 5 and 14. (Section 172.024(7), (8), Texas Election Code).
- f. Pay higher fee in Bexar, Dallas, Harris and Tarrant Counties. (Sections 172.024(10), (12), Texas Election Code).
- g. Senate Bill 44 (2017) reinstituted the petition requirement for certain judicial candidates. A candidate for the office of chief justice or justice, supreme court, or presiding judge or judge, court of criminal appeals, who chooses to pay the filing fee, must also accompany the application and fee with a petition. The minimum number of signatures that must appear on the petition is 50 from each of the fourteen court of appeals districts, for a total requirement of 700 signatures.
- h. The minimum number of signatures that must appear on a candidate's petition for statewide office is 5000. The minimum number of signatures that must appear on a candidate's petition for district, county or precinct office is the lesser of (1) 500 or (2) 2% of the total vote received in the district, county or precinct, as applicable, by all gubernatorial candidates in the 2018 general election, subject to (c) above. Section 172.025, Texas Election Code).

APPLICATION FOR A PLACE ON THE GENERAL PRIMARY BALLOT

ALL INFORMATION IS REQUIRED TO BE PROVIDED UNLESS INDICATED AS OPTIONAL¹ Failure to provide required information may result in rejection of application.

APPLICATION FOR A PLACE ON THE _____ PARTY GENERAL PRIMARY BALLOT (Democratic or Republican)					
TO: State/County Chair I request that my name be placed on the above-named official primary ballot as a candidate for nomination to the office indicated below.					
OFFICE SOUGHT (Include any place number or other distinguishing number, if any.)				INDICATE TERM <input type="checkbox"/> FULL <input type="checkbox"/> UNEXPIRED	
FULL NAME (First, Middle, Last)			PRINT NAME AS YOU WANT IT TO APPEAR ON THE BALLOT*		
PERMANENT RESIDENCE ADDRESS (Do not include a P.O. Box or Rural Route. If you do not have a residence address, describe location of residence.)			PUBLIC MAILING ADDRESS (Optional) (Address for which you receive campaign related correspondence, if available.)		
CITY	STATE	ZIP	CITY	STATE	ZIP
PUBLIC EMAIL ADDRESS (Optional) (Address for which you receive campaign related emails, if available.)		OCCUPATION (Do not leave blank)		DATE OF BIRTH / /	VOTER REGISTRATION VOID NUMBER² (Optional)
TELEPHONE CONTACT INFORMATION (Optional) Home: _____ Office: _____ Cell: _____					
FELONY CONVICTION STATUS (You MUST check one)		LENGTH OF CONTINUOUS RESIDENCE AS OF DATE THIS APPLICATION WAS SWORN			
<input type="checkbox"/> I have not been finally convicted of a felony. <input type="checkbox"/> I have been finally convicted of a felony, but I have been pardoned or otherwise released from the resulting disabilities of that felony conviction and I have provided proof of this fact with the submission of this application. ³		IN THE STATE OF TEXAS _____ year(s) _____ month(s)		IN TERRITORY/DISTRICT/PRECINCT FROM WHICH THE OFFICE SOUGHT IS ELECTED _____ year(s) _____ month(s)	
*If using a nickname as part of your name to appear on the ballot, you are also signing and swearing to the following statements: I further swear that my nickname does not constitute a slogan or contain a title, nor does it indicate a political, economic, social, or religious view or affiliation. I have been commonly known by this nickname for at least three years prior to this election. Please review sections 52.031, 52.032 and 52.033 of the Texas Election Code regarding the rules for how names may be listed on the official ballot.					
Before me, the undersigned authority, on this day personally appeared (name of candidate) _____, who being by me here and now duly sworn, upon oath says: "I, (name of candidate) _____, of _____ County, Texas, being a candidate for the office of _____, swear that I will support and defend the Constitution and laws of the United States and of the State of Texas. I am a citizen of the United States eligible to hold such office under the constitution and laws of this state. I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. I am aware of the nepotism law, Chapter 573, Government Code. I am aware that I must disclose any prior felony conviction, and if so convicted, must provide proof that I have been pardoned or otherwise released from the resulting disabilities of any such final felony conviction. I am aware that knowingly providing false information on the application regarding my possible felony conviction status constitutes a Class B misdemeanor. I further swear that the foregoing statements included in my application are in all things true and correct." <div style="text-align: center; margin-top: 20px;">X _____ SIGNATURE OF CANDIDATE</div>					
Sworn to and subscribed before me this the _____ day of _____, _____, by _____. (day) (month) (year) (name of candidate)					
Signature of Officer Authorized to Administer Oath ⁴			Printed Name of Officer Authorized to Administer Oath		
Title of Officer Authorized to Administer Oath			Notarial or Official Seal		
TO BE COMPLETED BY CHAIR OR DESIGNEE: THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE PAID BY: <input type="checkbox"/> CASH <input type="checkbox"/> CHECK <input type="checkbox"/> MONEY ORDER <input type="checkbox"/> CASHIERS CHECK OR <input type="checkbox"/> PETITION IN LIEU OF A FILING FEE. This document and \$_____ filing fee or a nominating petition of _____ pages received. <input type="checkbox"/> Voter Registration Status Verified _____/_____/_____ Date Received Date Accepted (See Section 1.007) _____ Signature of Chair or Designee					

INSTRUCTIONS

An application for a place on the general primary election ballot must be filed with the state party chair, for a statewide or district office filled by voters of more than one county. An application for an office filled by voters of a single county must be filed with the county party chair or the secretary of the county executive committee, if any. (Section 172.022, Texas Election Code)

This candidate application must be accompanied by either a filing fee or a completed Petition in Lieu of a Filing Fee. Please see Section 172.021, Texas Election Code, for the required number of signatures on a submitted Petition in Lieu of a Filing Fee. The filing deadline is 6:00 p.m. on the second Monday in December of the odd-numbered year preceding the General Primary Election.

NEPOTISM LAW

The candidate must sign this statement indicating his awareness of the nepotism law. When a candidate signs the application, it is an acknowledgment that the candidate is aware of the nepotism law. The nepotism prohibitions of Chapter 573, Government Code, are summarized below:

No officer may appoint, or vote for or confirm the appointment or employment of any person related within the second degree by affinity (marriage) or the third degree by consanguinity (blood) to the officer, or to any other member of the governing body or court on which the officer serves when the compensation of that person is to be paid out of public funds or fees of office. However, nothing in the law prevents the appointment, voting for, or confirmation of anyone who has been continuously employed in the office or employment for the following period prior to the election or appointment of the officer or member related to the employee in the prohibited degree: one year, if the officer or member is elected at the General Election for State and County Officers.

No candidate may take action to influence an employee of the office to which the candidate is seeking election or an employee or officer of the governmental body to which the candidate is seeking election regarding the appointment or employment of a person related to the candidate in a prohibited degree as noted above. This prohibition does not apply to a candidate's actions with respect to a bona fide class or category of employees or prospective employees.

FOOTNOTES

¹An application for a place on the ballot, including any accompanying petition, is public information immediately on its filing. (Section 141.035, Texas Election Code)

²Inclusion of a candidate's VUID is optional. However, many candidates are required to be registered voters in the territory from which the office is elected at the time of the filing deadline.

³Proof of release from the resulting disabilities of a felony conviction would include proof of judicial clemency under Texas Code of Criminal Procedure 42A.701, proof of executive pardon under Texas Code of Criminal Procedure 48.01, or proof of a restoration of rights under Texas Code of Criminal Procedure 48.05. (Texas Attorney General Opinion KP-0251)

One of the following documents must be submitted with this application.

Judicial Clemency under Texas Code of Criminal Procedure 42A.701

Executive Pardon under Texas Code of Criminal Procedure 48.01

Restoration of Rights under Texas Code of Criminal Procedure 48.05

⁴All oaths, affidavits, or affirmations made within this State may be administered and a certificate of the fact given by a judge, clerk, or commissioner of any court of record, a notary public, a justice of the peace, and the Secretary of State of Texas. See Chapter 602 of the Texas Government Code for the complete list of persons authorized to administer oaths.

FILING FEE SCHEDULE (172.024 Texas Election Code)

United States Senator	\$5,000
All Other Statewide Offices	\$3,750
United States Representative	\$3,125
State Senator	\$1,250
State Representative	\$750
Member, State Board of Education	\$300
Chief Justice or Justice, Court of Appeals, other than a justice specified by Subdivision (8)	\$1,875
Chief Justice or Justice of a Court of Appeals that serves a Court of Appeals District in which a county with a population of more than one million is wholly or partly situated	\$2,500
District Judge or Judge specified by Sec. 52.092(d) for which this schedule does not otherwise prescribe a fee	\$1,500
District or Criminal District Judge of a court in a judicial district wholly contained in a county with a population of more than 1.5 million	\$2,500
Judge of a Statutory County Court, other than a judge specified by subdivision (12)	\$1,500
Judge of a Statutory County Court in a county with a population of more than 1.5 million	\$2,500
District Attorney or Criminal District Attorney or County Attorney performing the duties of a District Attorney	\$1,250
County Judge, County Commissioner, District Clerk, County Clerk, Sheriff, County Tax-Assessor-Collector and County Treasurer	
County of 200,000 or more population	\$1,250
County of under 200,000 population	\$750
Justice of the Peace or Constable	
County of 200,000 or more population	\$1,000
County of under 200,000 population	\$375
County Surveyor	\$75
All County Offices not otherwise listed	\$750

SOLICITUD DE INSCRIPCIÓN PARA UN LUGAR EN LA BOLETA DE LA ELECCIÓN PRIMARIA GENERAL

TODA LA INFORMACIÓN ES REQUERIDA A MENOS QUE SE INDIQUE COMO OPCIONAL¹

El hecho de no proporcionar la información requerida puede resultar en el rechazo de la solicitud.

SOLICITUD DE INSCRIPCIÓN PARA UN LUGAR EN LA BOLETA DE LA ELECCIÓN PRIMARIA GENERAL DEL PARTIDO					
Para: Presidente Estatal/Presidente del Condado			(Democrático o Republicano)		
Solicito que mi nombre se incluya en la boleta oficial de la primaria mencionada anteriormente como candidato(a) para la nominación al cargo que se indica a continuación.					
CARGO SOLICITADO (Incluya cualquier número de cargo u otro número distintivo, si lo hay.)			INDIQUE TÉRMINO <input type="checkbox"/> TÉRMINO COMPLETO <input type="checkbox"/> TÉRMINO INCOMPLETO		
NOMBRE COMPLETO (Primer Nombre, Segundo Nombre, Apellido)			ESCRIBA SU NOMBRE COMO DESEA QUE APAREZCA EN LA BOLETA*		
DIRECCIÓN DE RESIDENCIA PERMANENTE (No incluya un apartado postal o una ruta rural. Si usted no tiene una dirección de residencia, describa la ubicación de la residencia.)			DIRECCIÓN DE CORREO PÚBLICO (Opcional) (Dirección en la que recibe la correspondencia relacionada con la campaña, si está disponible.)		
CIUDAD	ESTADO	CÓDIGO POSTAL	CIUDAD	ESTADO	CÓDIGO POSTAL
DIRECCIÓN DE CORREO ELECTRÓNICO PÚBLICO (Opcional) (Dirección donde recibe correo electrónico relacionado con la campaña, si está disponible.)		OCUPACIÓN (No deje este espacio en blanco)	FECHA DE NACIMIENTO / /	VID – NÚMERO ÚNICO DE IDENTIFICACIÓN DE VOTANTE² (Opcional)	
INFORMACIÓN DE CONTACTO TELEFÓNICO (Opcional) Hogar: Trabajo: Celular:					
ESTADO DE CONDENA POR DELITO GRAVE (DEBE marcar uno)			DURACIÓN DE RESIDENCIA CONTINUA A PARTIR DE LA FECHA EN QUE ESTA SOLICITUD FUE JURADA		
<input type="checkbox"/> No he sido finalmente condenado por un delito grave. <input type="checkbox"/> He sido finalmente condenado por un delito grave, pero he sido indultado o liberado de otro modo de las discapacidades resultantes de esa condena por delito grave y he proporcionado prueba de este hecho con la presentación de esta solicitud. ³			EN EL ESTADO DE TEXAS ____ año(s) ____ mes(es)		EN EL TERRITORIO/DISTRITO/PRECINTO DEL CUAL SE ELIGE EL CARGO BUSCADO ____ año(s) ____ mes(es)
<p>*Si usa un apodo como parte de su nombre para aparecer en la boleta, también está firmando y jurando las siguientes declaraciones: Juro además que mi apodo no constituye un lema ni contiene un título, ni indica un punto de vista o afiliación política, económica, social o religiosa. He sido comúnmente conocido por este apodo durante al menos tres años antes de esta elección. Por favor, revise las secciones 52.031, 52.032 y 52.033 del Código Electoral de Texas con respecto a las reglas sobre cómo se pueden incluir los nombres en la boleta oficial.</p>					
<p>Ante mí, la autoridad abajo firmante, en este día apareció personalmente (nombre del candidato) _____, quien estando a mi lado aquí y ahora debidamente juramentado, bajo juramento dice:</p> <p>“Yo, (nombre del candidato) _____, del condado de _____, Texas, siendo candidato para el cargo de _____, juro que apoyaré y defenderé la Constitución y las leyes de los Estados Unidos y del Estado de Texas. Soy un ciudadano de los Estados Unidos elegible para ocupar dicho cargo según la Constitución y las leyes de este estado. No se me ha determinado por un fallo final de una corte que ejerce la jurisdicción testamentaria que esté totalmente incapacitado mentalmente o parcialmente incapacitado sin derecho a voto. Soy consciente de la ley de nepotismo según el Capítulo 573 del Código de Gobierno. Soy consciente de que debo divulgar cualquier condena previa de un delito grave y, si he sido condenado, debo proporcionar prueba de que he sido indultado o liberado de otro modo de las discapacidades resultantes de dicha condena final por delito grave. Soy consciente de que proporcionar a sabiendas información falsa en la solicitud con respecto a mi posible estado de condena por delito grave constituye un delito menor de Clase B. Juro además que las declaraciones anteriores incluidas en mi solicitud son, en todos los aspectos, verdaderas y correctas.”</p> <p style="text-align: center;">X</p> <p style="text-align: center;">FIRMA DEL CANDIDATO</p>					
Jurado y suscrito ante mí este día _____ de _____ del _____ por _____. (día) (mes) (año) (nombre de candidato)					
Firma del oficial autorizado para administrar el juramento ⁴			Nombre del oficial autorizado para administrar juramentos en letra de molde		
Título del oficial autorizado para administrar el juramento			Notarial o sello oficial		
TO BE COMPLETED BY CHAIR OR DESIGNEE: THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE PAID BY: <input type="checkbox"/> CASH <input type="checkbox"/> CHECK <input type="checkbox"/> MONEY ORDER <input type="checkbox"/> CASHIERS CHECK OR <input type="checkbox"/> PETITION IN LIEU OF A FILING FEE.					
This document and \$_____ filing fee or a nominating petition of _____ pages received. <input type="checkbox"/> Voter Registration Status Verified					
_____/_____/_____ Date Received		_____/_____/_____ Date Accepted		(See Section 1.007) _____ Signature of Chair or Designee	

INSTRUCCIONES

Una solicitud para un lugar en la boleta de la elección primaria general debe ser presentada al presidente estatal del partido, para un cargo estatal o un cargo de distrito elegido por votantes de más de un condado. Una solicitud para un cargo elegido por votantes de un solo condado debe ser presentada al presidente del condado del partido o al secretario(a) del comité ejecutivo del condado, si lo hay. (Sección 172.022, Código Electoral de Texas)

Esta solicitud de candidatura debe ir acompañada de un pago de inscripción o una Petición Presentada en Sustitución del Pago de Inscripción. Consulte la Sección 172.021 del Código Electoral de Texas para conocer el número de firmas requerido en una Petición Presentada en Sustitución del Pago de Inscripción. La fecha límite de presentación es a las 6:00 p.m. el segundo lunes de diciembre del año impar anterior a la elección primaria general.

LEY DE NEPOTISMO

El candidato debe firmar esta declaración indicando su conocimiento de la ley del nepotismo. Cuando un candidato firma la solicitud, es un reconocimiento de que el candidato conoce la ley del nepotismo. Las prohibiciones de nepotismo del capítulo 573, Código de Gobierno, se resumen a continuación:

Ningún funcionario puede nombrar, votar o confirmar el nombramiento o empleo de cualquier persona emparentada dentro del segundo grado por afinidad (matrimonio) o del tercer grado por consanguinidad (sangre) con el funcionario, o con cualquier otro miembro del órgano de gobierno o corte en la que sirve el funcionario cuando la compensación de esa persona debe pagarse con fondos públicos o honorarios del cargo. Sin embargo, nada en la ley impide el nombramiento, la votación o la confirmación de cualquier persona que haya estado empleada continuamente en la oficina o el empleo durante el período siguiente antes de la elección o el nombramiento del funcionario o miembro emparentado con el empleado en el grado prohibido: un año, si el funcionario o miembro es elegido en las elecciones generales para funcionarios estatales y del condado.

Ningún candidato puede tomar medidas para influir en un empleado del cargo al que aspira a ser elegido o en un empleado o funcionario del organismo gubernamental al que aspira a ser elegido en relación con el nombramiento o el empleo de una persona emparentada con el candidato en un grado prohibido, tal como se ha indicado anteriormente. Esta prohibición no se aplica a las acciones de un candidato con respecto a una clase o categoría de buena fe de empleados o empleados prospectos.

NOTAS

¹Una solicitud para un lugar en la boleta electoral, incluida cualquier petición que la acompañe, es información pública inmediatamente después de su presentación. (Sección 141.035, Código Electoral de Texas)

²La inclusión del número único de identificación de votante (VUID, por sus siglas en Ingles) es opcional. Sin embargo, a muchos candidatos se les exige que estén registrados como votantes en el territorio desde el cual se elige el cargo en el momento de la fecha límite de presentación.

³La prueba de liberación de las discapacidades resultantes de una condena por un delito grave incluiría prueba de clemencia judicial según el Código de Procedimiento Penal de Texas 42A.701, prueba de indulto ejecutivo según el Código de Procedimiento Penal de Texas 48.01, o prueba de una restauración de derechos según el Código de Procedimiento Penal de Texas 48.05. (Opinión de Fiscal General de Texas KP-0251)

Se debe enviar uno de los siguientes documentos con esta solicitud:

Clemencia judicial según el Código de Procedimiento Penal de Texas 42A.701

Prueba de indulto ejecutivo según el Código de Procedimiento Penal de Texas 48.01

Prueba de una restauración de derechos según el Código de Procedimiento Penal de Texas 48.05

⁴Todos los juramentos, declaraciones juradas o afirmaciones hechas dentro de este estado pueden ser administrados y un certificado del hecho dado por un juez, secretario(a) o comisionado de cualquier corte de registro, un notario público, un juez de paz, y el Secretario de Estado de Texas. Consulte el Capítulo 602 del Código del Gobierno de Texas para obtener la lista completa de personas autorizadas a administrar juramentos.

LISTA DE PAGOS DE INSCRIPCIÓN (172.024 Código Electoral de Texas)

Senador de los Estados Unidos	\$5,000
Todas las Demás Oficinas Estatales	\$3,750
Representante de los Estados Unidos	\$3,125
Senador Estatal	\$1,250
Representante Estatal	\$750
Miembro, Junta de Educación Estatal	\$300
Juez Presidente o Juez, Corte de Apelaciones, que no sea un juez especificado por la subdivisión (8)	\$1,875
Juez Presidente o Juez de Corte de Apelaciones que sirve una corte de apelación del distrito en el cual un condado con una población de más de un millón está situado total o parcialmente	\$2,500
Juez de Distrito o Juez especificado por la Sec. 52.092(d) para el cual esta lista no prescribe de otro modo un honorario	\$1,500
Juez de Distrito o Juez de Distrito Criminal de una corte en un distrito judicial situado completamente en un condado con una población de más de 1.5 millones	\$2,500
Juez de una Corte Estatutaria del Condado, que no sea un juez especificado por la subdivisión 12	\$1,500
Juez de una Corte Estatutaria del Condado en un condado con una población de más de 1.5 millones	\$2,500
Procurador del Distrito o Procurador del Distrito Criminal o Procurador del Condado que ejerce las funciones del Procurador del Distrito	\$1,250
Juez de Condado, Comisionado del Condado, Secretario del Distrito, Secretario del Condado, Alguacil, Asesor-Colector de Impuestos del Condado o Tesorero del Condado	
Un condado con una población de 200,000 o más	\$1,250
Un condado con una población de menos de 200,000	\$750
Juez de Paz o Condestable	
Un condado con una población de 200,000 o más	\$1,000
Un condado con una población de menos de 200,000	\$375
Agrimensor del Condado	\$75
Todos los puestos oficiales del condado que no se han mencionado	\$750

FREQUENTLY ASKED QUESTIONS ON CANDIDACY AND PARTY AFFILIATION

Note: Unless otherwise indicated, all references are to the [Texas Election Code \(PDF\)](#).

CANDIDATE APPLICATION QUESTIONS

Can a candidate submit an application via email or fax?

It depends on the materials being submitted. Although Section 1.007 of the Code (as amended by HB 3107 in 2021) expressly authorizes email as a delivery method, the law still requires that a candidate's application and all of its components (including a petition or filing fee) be delivered at the same time, not separately. Therefore, if a candidate submits a filing fee along with an application, it **MAY NOT** be submitted via email or fax. However, if a candidate submits a petition in lieu of a filing fee along with an application, those may be submitted together via email or fax. Please be advised that an application must be notarized (or otherwise sworn to before someone authorized to administer an oath under Texas law) prior to filing via fax or email. [Secs. 1.007, 143.004, 144.003].

Note: An application filed by mail is considered to be filed at the time of its receipt by the appropriate authority. [Sec. 172.021(c)].

May another person deliver the application, filing fee, or petition in lieu of a filing fee to the filing authority on the candidate's behalf?

Yes. As long as the application is completed, signed, and notarized, and accompanied by either a filing fee or petition in lieu of a filing fee, another person may deliver the application on the candidate's behalf.

If someone was a candidate in the primary election and lost the race, can they run as an independent candidate in November?

No. A person who was a candidate for nomination in a primary election is not eligible for a place on the ballot for the next general election for state and county officers as an independent candidate for any office in which a candidate was nominated in the primary. [Sec. 162.015(a)].

If someone was a candidate in the primary election and lost the race, can they run as a write-in candidate in November?

It depends on the office for which the candidate seeks to run. A person who was a candidate for nomination for the primary election cannot run as a write-in candidate for the **same** office in the general election in November. However, the candidate could run as a write-in candidate for a **different** office in the general election in November. [Sec. 162.015(b)].

Is a candidate required to be a registered voter? If so, by what deadline?

The general rule under Election Code Section 141.001 states that a candidate must be a registered voter of the territory from which the office is elected by the time of the regular candidate filing deadline. This rule is explained in more detail in this FAQ: [Voter Registration for Candidates](#)

However, the requirement in Section 141.001 does not apply to an office where the law conflicts with the U.S. Constitution or the Texas Constitution or when a statute outside the Election Code prescribes exclusive eligibility requirements. For the general election for state and county officers, this distinction is reflected in the *Qualifications* section of the Candidate's Guide.

May a candidate announce that they are running for an office prior to filing an application? Also, what is considered an announcement of candidacy?

Candidates will need to check with the Texas Ethics Commission, which administers and enforces Title 15 of the Texas Election Code, concerning political contributions and expenditures, and political advertising. Additionally, candidates should be aware of Article 16, Section 65 of the [Texas Constitution \(PDF\)](#) (often called the "resign-to-run" provision). For some public offices, an announcement of candidacy could constitute an automatic resignation of the office then held, if the official has more than a year and 30 days remaining on their term.

The Texas Attorney General has issued several opinions regarding the question of what is considered an announcement of candidacy. Our office recommends that candidates review the following AG opinions:

[Tex. Att'y Gen. LO-95-071 \(1995\)\(PDF\)](#)

[Tex. Att'y Gen. Op. No. JC-0249 \(2000\) \(PDF\)](#)

[Tex. Att'y Gen. Op. No. GA-0643 \(2008\) \(PDF\)](#)

[Tex. Att'y Gen. Op. No. GA-0769 \(2010\) \(PDF\)](#)

[Tex. Att'y Gen. Op. No. KP-0351 \(2021\) \(PDF\)](#)

Can a candidate file an application for more than one office in the same election?

No. A candidate cannot file applications for two or more offices that will be voted on at one or more elections held on the same day. For example, a candidate could not file an application for city council and school board if those elections will be held on the same day. If a candidate files more than one application for a place on the ballot, each application filed subsequent to the first application is invalid. [Secs. 52.034, 141.033].

Can a candidate use a nickname, title, or maiden name on the ballot?

Nickname: A candidate may use one unhyphenated word of not more than 10 letters by which the candidate has been commonly known for at least three years preceding the election. A nickname that constitutes a slogan or otherwise indicates a political, economic, social, or religious view or affiliation may not be used. [Sec. 52.031].

Title: A title or designation of office, status, or position MAY NOT be used in conjunction with a candidate's name on the ballot. Some examples of prohibited titles include Doctor, Pastor, and Coach. [Sec. 52.033].

Surname: A person may use any surname acquired by law or marriage. A married person may also use a maiden name. [Sec. 52.031].

Candidate name questions are often fact-specific. Please contact our office if you have additional questions.

Can a candidate amend their application after it has been filed?

No. A candidate may not amend an application after it has been filed. If the candidate needs to correct a defective candidate application, the candidate may submit a [Certificate of Withdrawal \(PDF\)](#) or a written, signed, and notarized letter to the filing authority and then submit a new candidate application before the filing deadline. [Secs. 141.032, 145.001].

Can a state employee run for public office?

It depends on the employee's position. Texas statutes do not prohibit a state employee from becoming a candidate for elected public office. The federal Hatch Act, however, prohibits a state employee from becoming a candidate for elective office if the salary of the employee is paid completely by federal funds. [[Tex. Att'y Gen. Op. No. GA-1026 \(2013\) \(PDF\)](#)]. For questions about the Hatch Act, please consult the [United States Office of Special Counsel](#).

FREQUENTLY ASKED QUESTIONS ON CANDIDACY AND PARTY AFFILIATION

Note: Unless otherwise indicated, all references are to the [Texas Election Code \(PDF\)](#).

CANDIDATE FILING FEE QUESTIONS

May a candidate submit both a petition in lieu of a filing fee and a filing fee along with an application for a place on the ballot?

Yes. If a political party's chair has the opportunity to do so before the candidate files, we suggest that the chair advise the candidate that the check will be used first and cannot be refunded. If the candidate files with a check, the chair will cash the check.

If the check is returned for insufficient funds, and there is time remaining in the filing period, the candidate has the opportunity to present a new check from a different account. [Sec. 172.021]. If there is no time left in the filing period, or the candidate does not wish to provide a new check, the filing authority should allow the candidate to rely on the petition in lieu of a filing fee. [*In re Stalder*, 540 S.W.3d 215 (Tex. App.—Houston [1st Dist.] 2018)]. The filing authority should first advise the candidate (if there is time) that if both a filing fee and a petition are submitted, the filing authority will start by depositing the check.

If a filing fee is rejected due to insufficient funds, does the chair physically return the original application to the candidate (presuming it is otherwise valid)?

No. The filing authority should keep the original candidate application. Once the application has been filed with the filing authority, the application becomes an official record subject to disclosure under the Texas Public Information Act. [Sec. 141.035].

Can a candidate pay the filing fee with a credit card?

No. Paying a filing fee with a credit card is not authorized under current law.

Can a filing fee be refunded to the candidate?

It depends on the grounds on which a refund sought. A filing fee paid in connection with a candidate's application for a place on the ballot must be refunded to the candidate, or to the candidate's estate, if the candidate dies, the candidate is declared ineligible, or the candidate's application is determined not to comply with the required form, content, and procedure before the date of the election for which the application was made. A claim for a refund of a filing fee must be submitted to the same filing authority with whom the application was filed. A filing fee may not be refunded for reasons other than those authorized by law. [Sec. 141.038].

FREQUENTLY ASKED QUESTIONS ON CANDIDACY AND PARTY AFFILIATION

Note: Unless otherwise indicated, all references are to the [Texas Election Code \(PDF\)](#).

CANDIDATE PETITION QUESTIONS

When may a party candidate (Democrat, Republican, Libertarian or Green) begin collecting signatures for a petition in lieu of a filing fee?

There is no statutory “first day” that a party candidate may begin collecting signatures for a petition in lieu of a filing fee. However, if a candidate circulates a petition in lieu of the filing fee, a petition for judicial office, or a statewide judicial office primary ballot petition (for candidates running for Supreme Court or Court of Criminal Appeals), the voters who sign the petition must be registered voters of the territory from which the candidate’s office sought is elected or must have been issued a registration certificate which will become effective in that territory on or before the applicable election. This means that if the boundary of the territory from which the office is sought subsequently changes as a result of redistricting, and the voter is no longer a registered voter of the territory due to redistricting, the voter’s signature on the petition will no longer be valid and cannot be considered by the filing authority. This is due to the fact that the voter was not a registered voter of the new territory from which the office is sought. [Sec. 141.063].

When may an *independent* candidate begin collecting signatures for a petition for a place on the ballot?

An independent candidate who filed a declaration of intent to run as an independent candidate may begin collecting signatures from registered voters **after the primary election** (or after the primary runoff election, if the office the independent candidate is seeking is involved in a primary runoff election). The signers must be registered voters who have not voted in the general primary election or the runoff primary election of a political party that has nominated, at either election, a candidate for the office the independent candidate seeks. [Sec. 142.009].

When may a declared write-in candidate begin collecting signatures for a petition in lieu of a filing fee?

There is no statutory “first day” that a declared write-in candidate may begin collecting signatures for a petition in lieu of a filing fee. However, if a candidate circulates a petition in lieu of the filing fee, a petition for judicial office, or a statewide judicial office primary ballot petition (for candidates running for Supreme Court or Court of Criminal Appeals), the voters who sign the petition must be registered voters of the territory from which the candidate’s office sought is elected or must have been issued a registration certificate which will become effective in that territory on or before the applicable election. This means that if the boundary of the territory from which the office is sought subsequently changes as a result of redistricting, and the voter is no longer a registered voter of the territory due to redistricting, the voter’s signature on the petition will no longer be valid and cannot be considered by the filing authority. This is due to the fact that the voter was not a registered voter of the new territory from which the office is sought. [Sec. 141.063].

Should a candidate's legal name or the name as the candidate wishes it to appear on the ballot be on the candidate's petition?

A candidate may use a legal name or a nickname on the petition to collect signatures. As long as signers can determine who the candidate is, and that the petition acknowledged this, the nickname or preferred name would be allowed. The candidate's application should also reflect the nickname or preferred name. The person does not have to use their given name as it appears on the voter registration rolls when collecting signatures.

Who can circulate a petition for a candidate?

The Election Code does not define any eligibility requirements for service as a circulator. For example, a person may circulate a petition even if the circulator is not a registered voter of the area. However, in that situation, the circulator would not be eligible to sign the petition unless they are a registered voter of the territory from which the office sought is elected or has been issued a registration certificate for a registration that will become effective in that territory on or before the date of the applicable election. Additionally, there is no age requirement for a circulator. However, if the circulator is below 18 years of age, the circulator must be mentally capable of understanding the affidavit of circulator and the petition requirements they are swearing to before a person authorized to administer oaths in this state. [Secs. 141.063, 141.065].

Does each page of the candidate's petition need to be notarized?

No. The candidate's petition may consist of several parts and each part may consist of several pages. A single notarized affidavit by any person who obtained signatures is valid for all signatures gathered by the person if the date of notarization is on or after the date of the last signature obtained by the person. A circulator may complete a single affidavit that applies to all petition signatures gathered on all the pages circulated by that circulator before the date the affidavit is notarized. [Sec. 141.065].

Do the signatures need to be from people in a specific area when circulating a candidate petition?

Yes. Section 141.063(a)(1) of the Election Code provides that a signature on a petition is valid if, except as otherwise provided by the Code, the signer, at the time of signing, is a registered voter of the territory from which the office sought is elected or has been issued a registration certificate for a registration that will become effective in that territory on or before the date of the applicable election.

Please note that if a candidate circulates a petition in lieu of the filing fee, a petition for judicial office, or a statewide judicial office primary ballot petition (for candidates running for Supreme Court or Court of Criminal Appeals), the voters who sign the petition must be registered voters of the territory from which the candidate's office sought is elected or must have been issued a registration certificate which will become effective in that territory on or before the applicable election. This means that if the boundary of the territory from which the office is sought subsequently changes as a result of redistricting, and the voter is no longer a registered voter of the territory due to redistricting, the voter's signature on the petition will no longer be valid and cannot be considered by the filing authority. This is due to the fact that the voter was not a registered voter of the new territory from which the office is sought.

NEW LAW: HB 3107 (2021) - The signer's residence address and registration address are not required to be the same if the signer would otherwise be able to vote for that office under Section 11.004 or 112.002. [Sec. 141.063(e)].

May a candidate sign their own petition?

Yes. As long as the candidate, at the time of signing, is a registered voter of the territory from which the office sought is elected. [Sec. 141.063]

If a voter signed a petition for a candidate for a place on the primary ballot, can the voter vote in another party's primary election?

If a voter signed a candidate's petition for a place on the primary ballot, that voter is only able to vote in the primary, or participate in the convention, of that candidate's party during the voting year in which the primary election is held. For example, if a voter signed a Democratic candidate's petition, that voter is not eligible to vote in the Republican primary or participate in a minor party convention. [Sec. 172.026].

If the voter signed a petition for a candidate for nomination in the Libertarian Party or Green Party, can the voter still vote in a primary election?

No. If a voter signed a candidate's petition for nomination for the Libertarian Party or Green Party, that voter is not eligible to vote in a primary election or participate in the convention of a different party during the same voting year in which the primary election is held. [Secs. 172.026, 141.041].

Can a voter sign multiple candidate petitions for people running for the same office?

No. Section 141.066 prohibits a voter from signing the petition of more than one candidate running for the same office in the same election. Therefore, a voter could not sign the petitions of multiple candidates running for the same office in a primary election. However, they could sign the petitions of different individuals running for different offices if they are all running in the same primary election. If a voter signs petitions for candidates running in different party primaries, the voter would **not** be eligible to vote in either party's primary election. For example, if a voter signed a Democratic candidate's petition and a Republican candidate's petition, that voter is not eligible to vote in **either** the Republican or Democratic primary or participate in a minor party convention. [Sec. 172.026].

Can a voter who voted in the primary or primary runoff election sign the candidate petition of an independent candidate?

No. A person who voted in the primary election or in a primary runoff election is not eligible to sign an independent candidate's petition if either primary had a candidate for nomination to the same office. The voter has affiliated with the party whose primary election they voted in. [Sec. 142.008]. The independent candidate petition contains the following statement as required under Section 142.008:

"I have not voted in the general primary election or runoff primary election of any political party that has nominated, at either election, a candidate for the office of (insert office title) for which (insert candidate's name) is a candidate."

Does signing a candidate petition for a candidate in the primary election affiliate a person with that party?

No. Signing a candidate petition doesn't affiliate a voter with a particular party. However, a person who signs a petition in lieu of filing fee for a candidate in the primary election is acknowledging that they cannot vote in a primary or participate in a convention of another party under Section 172.027 of the Texas Election Code:

"I understand that by signing this petition I become ineligible to vote in a primary election or participate in a convention of another party, including a party not holding a primary election, during the voting year in which this primary election is held."

The circulator of the petition must read the above statement to each person before that person signs the petition.

Can a voter withdraw their signature from a candidate's petition?

Yes. A signature may be withdrawn by a signer if the signer files a sworn written request to withdraw their signature with the filing authority no later than the date the petition is received by the filing authority or the seventh day before the petition filing deadline, whichever is earlier. The signer must also deliver a copy of the withdrawal request to the candidate when the request is filed. [Sec. 141.067].

If the withdrawal of signatures would result in the petition falling below the required number of signatures, the filing authority must notify the candidate immediately by telephone (or an equally expeditious method) about the number of withdrawn signatures. In this situation, a candidate may supplement their petition with an equal number of signatures to the number withdrawn before the third day after the date the candidate receives the notice. [Sec. 141.067].

If a voter's signature on a candidate petition is timely withdrawn under the procedures outlined here, that voter is considered to have never signed the petition and therefore that voter would no longer be restricted from voting in another party's primary or attending a convention. [Secs. 141.067, 172.026].

Are there consequences if a candidate who is running in a primary election for one party signs the petition of a candidate running in a different primary election?

If a candidate signs the petition of a candidate running in a different party's primary election, the signer has not yet taken steps to affiliate with the other party. However, the candidate has signed a petition acknowledging that they are now not eligible to vote in another party's primary election. Therefore, by signing, the person **cannot vote in their own party's primary or participate in their own party's convention**. If they do, it could constitute illegal voting. [Secs. 64.012, 172.027]. Additionally, if the candidate votes in the other party's primary, they have made themselves ineligible to be their party's nominee for the general election in November. [Sec. 162.015].

FREQUENTLY ASKED QUESTIONS ON CANDIDACY AND PARTY AFFILIATION

Note: Unless otherwise indicated, all references are to the [Texas Election Code \(PDF\)](#).

GENERAL AFFILIATION QUESTIONS

How does party affiliation work in Texas?

Party affiliation is not required in order to register to vote in Texas. In Texas, there are several ways for a voter to affiliate with a party: by being accepted to vote in a party's primary election, by taking the required oath at a party precinct convention, or by taking a party oath of affiliation generally [Secs. 162.003, 162.006, 162.007]. A voter's affiliation with a party automatically expires at the end of each calendar year, which is December 31. [Sec. 162.010]. A voter who affiliates with a party is not eligible to participate in the party affairs of another party during the same calendar year. [Secs. 162.012, 162.013].

If a voter did not vote in a party primary or take an oath of affiliation with a party this calendar year, the voter has not yet affiliated with any party. If a voter has not yet affiliated with a party, the voter is able to vote in either party's primary election. However, if a voter votes in the primary of one party, the voter will only be able to vote in that party's primary runoff election. [Secs. 162.012, 162.013]. After affiliating with a party, a voter is not able to change or cancel their party affiliation until the end of the calendar year. [Sec. 162.010].

How can a voter change their party affiliation?

After affiliating with a party by voting in a party's primary, participating in a convention, or by taking an oath of affiliation with a party, a voter cannot change their party affiliation during the calendar year. [Sec. 162.010]. However, affiliation will automatically expire at the end of the calendar year.

Does filing an Application for a Place on the Primary Election Ballot affiliate the candidate with that party?

Filing an application does not affiliate a person with a party. However, a person who voted in a primary election or who was a candidate for a nomination in a primary is not eligible for a place on the ballot for the succeeding general election for state and county officers as (1) an independent candidate for an office for which a candidate was nominated in the primary, or (2) the nominee of a political party other than the party in which person was a primary candidate. [Sec. 162.015].

FREQUENTLY ASKED QUESTIONS ON CANDIDACY AND PARTY AFFILIATION

Note: Unless otherwise indicated, all references are to the [Texas Election Code \(PDF\)](#).

CANDIDATE APPLICATION QUESTIONS

Can a candidate submit an application via email or fax?

It depends on the materials being submitted. Although Section 1.007 of the Code (as amended by HB 3107 in 2021) expressly authorizes email as a delivery method, the law still requires that a candidate's application and all of its components (including a petition or filing fee) be delivered at the same time, not separately. Therefore, if a candidate submits a filing fee along with an application, it **MAY NOT** be submitted via email or fax. However, if a candidate submits a petition in lieu of a filing fee along with an application, those may be submitted together via email or fax. Please be advised that an application must be notarized (or otherwise sworn to before someone authorized to administer an oath under Texas law) prior to filing via fax or email. [Secs. 1.007, 143.004, 144.003].

Note: An application filed by mail is considered to be filed at the time of its receipt by the appropriate authority. [Sec. 172.021(c)].

May another person deliver the application, filing fee, or petition in lieu of a filing fee to the filing authority on the candidate's behalf?

Yes. As long as the application is completed, signed, and notarized, and accompanied by either a filing fee or petition in lieu of a filing fee, another person may deliver the application on the candidate's behalf.

If someone was a candidate in the primary election and lost the race, can they run as an independent candidate in November?

No. A person who was a candidate for nomination in a primary election is not eligible for a place on the ballot for the next general election for state and county officers as an independent candidate for any office in which a candidate was nominated in the primary. [Sec. 162.015(a)].

If someone was a candidate in the primary election and lost the race, can they run as a write-in candidate in November?

It depends on the office for which the candidate seeks to run. A person who was a candidate for nomination for the primary election cannot run as a write-in candidate for the **same** office in the general election in November. However, the candidate could run as a write-in candidate for a **different** office in the general election in November. [Sec. 162.015(b)].

Is a candidate required to be a registered voter? If so, by what deadline?

The general rule under Election Code Section 141.001 states that a candidate must be a registered voter of the territory from which the office is elected by the time of the regular candidate filing deadline. This rule is explained in more detail in this FAQ: [Voter Registration for Candidates](#)

However, the requirement in Section 141.001 does not apply to an office where the law conflicts with the U.S. Constitution or the Texas Constitution or when a statute outside the Election Code prescribes exclusive eligibility requirements. For the general election for state and county officers, this distinction is reflected in the *Qualifications* section of the Candidate's Guide.

May a candidate announce that they are running for an office prior to filing an application? Also, what is considered an announcement of candidacy?

Candidates will need to check with the Texas Ethics Commission, which administers and enforces Title 15 of the Texas Election Code, concerning political contributions and expenditures, and political advertising. Additionally, candidates should be aware of Article 16, Section 65 of the [Texas Constitution \(PDF\)](#) (often called the "resign-to-run" provision). For some public offices, an announcement of candidacy could constitute an automatic resignation of the office then held, if the official has more than a year and 30 days remaining on their term.

The Texas Attorney General has issued several opinions regarding the question of what is considered an announcement of candidacy. Our office recommends that candidates review the following AG opinions:

[Tex. Att'y Gen. LO-95-071 \(1995\)\(PDF\)](#)

[Tex. Att'y Gen. Op. No. JC-0249 \(2000\) \(PDF\)](#)

[Tex. Att'y Gen. Op. No. GA-0643 \(2008\) \(PDF\)](#)

[Tex. Att'y Gen. Op. No. GA-0769 \(2010\) \(PDF\)](#)

[Tex. Att'y Gen. Op. No. KP-0351 \(2021\) \(PDF\)](#)

Can a candidate file an application for more than one office in the same election?

No. A candidate cannot file applications for two or more offices that will be voted on at one or more elections held on the same day. For example, a candidate could not file an application for city council and school board if those elections will be held on the same day. If a candidate files more than one application for a place on the ballot, each application filed subsequent to the first application is invalid. [Secs. 52.034, 141.033].

Can a candidate use a nickname, title, or maiden name on the ballot?

Nickname: A candidate may use one unhyphenated word of not more than 10 letters by which the candidate has been commonly known for at least three years preceding the election. A nickname that constitutes a slogan or otherwise indicates a political, economic, social, or religious view or affiliation may not be used. [Sec. 52.031].

Title: A title or designation of office, status, or position MAY NOT be used in conjunction with a candidate's name on the ballot. Some examples of prohibited titles include Doctor, Pastor, and Coach. [Sec. 52.033].

Surname: A person may use any surname acquired by law or marriage. A married person may also use a maiden name. [Sec. 52.031].

Candidate name questions are often fact-specific. Please contact our office if you have additional questions.

Can a candidate amend their application after it has been filed?

No. A candidate may not amend an application after it has been filed. If the candidate needs to correct a defective candidate application, the candidate may submit a [Certificate of Withdrawal \(PDF\)](#) or a written, signed, and notarized letter to the filing authority and then submit a new candidate application before the filing deadline. [Secs. 141.032, 145.001].

Can a state employee run for public office?

It depends on the employee's position. Texas statutes do not prohibit a state employee from becoming a candidate for elected public office. The federal Hatch Act, however, prohibits a state employee from becoming a candidate for elective office if the salary of the employee is paid completely by federal funds. [[Tex. Att'y Gen. Op. No. GA-1026 \(2013\) \(PDF\)](#)]. For questions about the Hatch Act, please consult the [United States Office of Special Counsel](#).

VOTING IN A PRIMARY ELECTION

Does a voter have to register or affiliate with a party before voting in the primary?

No. A registered voter is not required to pre-register or take any steps towards affiliating with a party before voting in a party's primary election. [Sec. 162.003]. Additionally, when a person registers to vote in Texas, they do not register with any kind of party affiliation.

Does a voter have to vote in the general primary election in order to vote in a primary runoff election?

No. Section 11.001 of the Texas Election Code prescribes the specific qualifications necessary in order to vote in a Texas election. There is no requirement to have previously voted in the general primary election in order to participate in the subsequent primary runoff election. Therefore, if a qualified voter did not vote in the general primary election, they are still eligible to vote in the primary runoff election.

If a voter has voted in one party's primary in a prior calendar year, do they have to vote in the same party's primary this year?

No. A voter's party affiliation ends at the end of each calendar year. Affiliation with a party in a prior year does not affect what primary an unaffiliated voter can vote in a new voting year. [Sec. 162.010].

If a voter is not going to be 18 in time for the primary or primary runoff, but will be 18 by the time of the general election, can they vote in the primary?

No. A voter must have an effective date of registration on or before election day in order to vote in the current election. [Sec. 11.001]. A registration is effective for purposes of early voting if it will be effective on election day. [Sec. 13.143]. In Texas, the earliest a voter can submit a voter registration application is when they are 17 years and 10 months old. [Sec. 13.001]. However, this application is not effective until a voter's 18th birthday. If a voter is not 18 on or before election day, their voter registration will not be effective prior to election day and they will not be able to vote in that election. However, a voter who turns 18 between primary election day and primary runoff election day can register to vote and vote in the primary runoff election.

Why are voters asked during a primary election if they want a Republican or Democratic ballot? Isn't this private information?

The primary elections in Texas are two separate elections that occur on the same day. These elections are the method for both the Republican and Democratic parties to select their nominees for the general election in November. When a voter votes in a primary election or primary runoff election, they are affiliating with the party whose primary they are voting in. [Sec. 162.003]. A voter who is affiliated with a political party is not eligible to become affiliated with another party during the same voting year. [Sec. 162.012]. This means a voter cannot vote in both primary elections, or the primary election of one party and the runoff election of another party. Some counties will have joint primaries and/or the parties will share polling places. In a county where the Republican and Democratic parties are sharing polling places, the voter must identify the primary in which they would like to vote, in order to ensure they receive the correct ballot and are marked as voting in the correct primary election.

Is the fact that a voter voted in a primary election confidential?

No. Offices and candidates that a voter selected are confidential and secret. However, voting in a particular party's primary is public information and the voter's name will be listed in that party's early voting and election day rosters.

Why do voters have to indicate party preference on an Application for a Ballot by Mail (ABBM)? [Primary election year ONLY]

If a voter would like to vote in a primary, they must include the party preference. This is because a voter cannot participate in both parties' primary elections, and therefore a voter must indicate, when voting by mail, their party preference to ensure they receive the correct ballot style. A party preference on an Application for Ballot by Mail is only necessary during a primary election year.

Does requesting a ballot by mail affiliate a voter with that party?

Not immediately. A voter does not become affiliated with a particular party until the early voting clerk receives the voter's voted primary ballot. [Sec. 162.003]. If a voter requests a certain primary ballot but does not return a voted ballot for that primary election, they will not be affiliated with a party (unless they take other steps to affiliate with a party or decide to vote in person).

Can a voter vote in one party's primary election and a different party's primary runoff election?

No. By voting in a party's primary election, a voter has affiliated themselves with that party and is not eligible to participate in the convention or primary runoff election of another party during that calendar year. [Secs. 162.012, 162.013].

If a voter voted in a party's primary election, is the voter required to vote for that party's candidates in the subsequent November general election?

No. A voter who votes in the primary is not required to vote for a particular party's candidates in the succeeding November general election.

What if the voter considers themselves an independent, but wishes to vote in a primary election?

The act of voting in a primary election affiliates a voter with a political party. [Sec. 162.003]. However, if a voter has not otherwise affiliated themselves with a political party, they are able to vote in the primary of either party.

If the Democratic or Republican Party's convention occurs before the primary election, can a candidate attend one party's convention and then run for office or vote in the other party's primary?

No. A candidate may only participate in the affairs of one party during the voting year. This prohibition applies to a primary candidate's attendance at a minor party's nominating convention as well.

FREQUENTLY ASKED QUESTIONS ON CANDIDACY AND PARTY AFFILIATION

Note: Unless otherwise indicated, all references are to the [Texas Election Code \(PDF\)](#).

EFFECT OF REDISTRICTING

A candidate is considering running for a precinct office (i.e., Justice of the Peace, Constable, or County Commissioner). How is length of residency calculated in a precinct if the boundaries have changed?

Per Section 141.002, instead of the six-month precinct residence requirement prescribed by Section 141.001(a)(5), a candidate must have continuously resided in the **county** in which the precinct is located for **six months** and be a resident of the **precinct** on the **date** prescribed by Section 141.001(a)(5).

A candidate is interested in running for a district office. How is length of residency calculated in a district if the boundaries changed?

In determining whether a candidate has complied with the residence requirement under Section 141.001, residence in an area while the area was not part of the district is considered as residence within the district if that area is part of the district on the date prescribed by Section 141.001(a)(5). [Sec. 141.004]. For example, if a person has resided in their home for 3 years, and prior to redistricting their residence was not part of the district but after redistricting it is part of the district, the person can consider those 3 years in determining the required period of residence.

When is the voter registration deadline for a candidate whose office has been redistricted?

The general rule under Section 141.001 is that a candidate must be a registered voter by the time of the regular candidate filing deadline.

POLITICAL ADVERTISING

What You Need to Know



The Texas Election Code requires certain disclosures and notices on political advertising. The law also prohibits certain types of misrepresentation in political advertising and campaign communications. This brochure explains what you need to know to insure that your political advertising and campaign communications comply with the law.

If you are not sure what the law requires, do the cautious thing. Use the political advertising disclosure statement whenever you think it might be necessary, and do not use any possibly misleading information in political advertising or a campaign communication. If you are using political advertising or campaign communications from a prior campaign, you should check to see if the law has changed since that campaign.

Candidates for federal office should check with the Federal Election Commission at (800) 424-9530 for information on federal political advertising laws.

NOTICE: This guide is intended only as a general overview of the disclosure statements that must appear on political advertising as required under [Chapter 255 of the Election Code](#), which is distinct from political reporting requirements under [Chapter 254 of the Election Code](#).

Texas Ethics Commission
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Visit us at www.ethics.state.tx.us.

REQUIRED DISCLOSURE ON POLITICAL ADVERTISING

I. What Is Political Advertising?

The disclosure statement and notice requirements discussed in this section apply to “political advertising.” In the law, “political advertising” is a specifically defined term. Do not confuse this special term with your own common-sense understanding of advertising.

To figure out if a communication is political advertising, you must look at what it says and where it appears. If a communication fits in one of the categories listed in Part A (below) and if it fits in one of the categories listed in Part B (below), it is political advertising.

Part A. What Does It Say?

1. Political advertising includes communications supporting or opposing a candidate for nomination or election to either a public office or an office of a political party (including county and precinct chairs).
2. Political advertising includes communications supporting or opposing an officeholder, a political party, or a measure (a ballot proposition).

Part B. Where Does It Appear?

1. Political advertising includes communications that appear in pamphlets, circulars, fliers, billboards or other signs, bumper stickers, or similar forms of written communication.
2. Political advertising includes communications that are published in newspapers, magazines, or other periodicals in return for consideration.
3. Political advertising includes communications that are broadcast by radio or television in return for consideration.
4. Political advertising includes communications that appear on an Internet website.

II. When Is a Disclosure Statement Required?

The law provides that political advertising that contains express advocacy is required to include a disclosure statement. The person who causes the political advertising to be published, distributed, or broadcast is responsible for including the disclosure statement.

The law does not define the term “express advocacy.” However, the law does provide that political advertising is deemed to contain express advocacy if it is authorized by a candidate, an agent of a candidate, or a political committee filing campaign finance reports. Therefore, a disclosure statement is required any time a candidate, a candidate’s agent, or a political committee authorizes political advertising.

The precise language of political advertising authorized by someone other than a candidate, the candidate's agent, or a political committee will determine if the advertising contains express advocacy and is therefore required to include a disclosure statement. Generally, the question is whether the communication expressly advocates the election or defeat of an identified candidate, or expressly advocates the passage or defeat of a measure, such as a bond election. The inclusion of words such as "vote for," "elect," "support," "defeat," "reject," or "Smith for Senate" would clearly constitute express advocacy, but express advocacy is not limited to communications that use those words. Similar phrases, such as "Cast your ballot for X," would also constitute express advocacy. Additionally, in 2007, the United States Supreme Court held that an advertisement included express advocacy or its functional equivalent "if the ad is susceptible to no reasonable interpretation other than as an appeal to vote for or against a specific candidate." *FEC v. Wis. Right to Life, Inc.*, 551 U.S. 449 (2007). It is a question of fact whether a particular communication constitutes express advocacy. If you are not sure whether political advertising contains express advocacy, do the cautious thing and include the disclosure statement. That way, there is no need to worry about whether you have violated the law.

Remember: The concept of "express advocacy" is relevant in determining whether political advertising is required to include a disclosure statement. However, the political advertising laws governing the right-of-way notice, misrepresentation, and use of public funds by political subdivisions will apply to political advertising regardless of whether the advertising contains express advocacy.

III. What Should the Disclosure Statement Say?

A disclosure statement must include the following:

1. the words "political advertising" or a recognizable abbreviation such as "pol. adv."; and
2. the full name of one of the following: (a) the person who paid for the political advertising; (b) the political committee authorizing the political advertising; or (c) the candidate or specific-purpose committee supporting the candidate, if the political advertising is authorized by the candidate.

The disclosure statement must appear on the face of the political advertising or be clearly spoken if the political advertising is audio only and does not include written text.

The advertising should not be attributed to entities such as "Committee to Elect John Doe" unless a specific-purpose committee named "Committee to Elect John Doe" has filed a campaign treasurer appointment with the Ethics Commission or a local filing authority.

IV. Are There Any Exceptions to the Disclosure Statement Requirement?

The following types of political advertising do not need the disclosure statement:

1. t-shirts, balloons, buttons, emery boards, hats, lapel stickers, small magnets, pencils, pens, pins, wooden nickels, candy wrappers, and similar materials;
2. invitations or tickets to political fundraising events or to events held to establish support for a candidate or officeholder;

3. an envelope that is used to transmit political advertising, provided that the political advertising in the envelope includes the disclosure statement;
4. circulars or fliers that cost in the aggregate less than \$500 to publish and distribute;
5. political advertising printed on letterhead stationery, if the letterhead includes the name of one of the following: (a) the person who paid for the advertising, (b) the political committee authorizing the advertising, or, (c) the candidate or specific-purpose committee supporting the candidate, if the political advertising is authorized by the candidate. (Note: There is also an exception for holiday greeting cards sent by an officeholder, provided that the officeholder's name and address appear on the card or the envelope.)
6. postings or re-postings on an Internet website if the person posting or re-posting is not an officeholder, candidate, or political committee and did not make an expenditure exceeding \$100 in a reporting period for political advertising beyond the basic cost of hardware messaging software and bandwidth;
7. an Internet social media profile webpage of a candidate or officeholder, if the webpage clearly and conspicuously displays the full name of the candidate or officeholder; and
8. postings or re-postings on an Internet website if the advertising is posted with a link to a publicly viewable Internet webpage that either contains the disclosure statement or is an Internet social media profile webpage of a candidate or officeholder that clearly and conspicuously displays the candidate's or officeholder's full name.

V. What Should I Do If I Discover That My Political Advertising Does Not Contain a Disclosure Statement?

The law prohibits a person from using, causing or permitting to be used, or continuing to use political advertising containing express advocacy if the person knows it does not include the disclosure statement. A person is presumed to know that the use is prohibited if the Texas Ethics Commission notifies the person in writing that the use is prohibited. If you receive notice from the Texas Ethics Commission that your political advertising does not comply with the law, you should stop using it immediately.

If you learn that a political advertising sign designed to be seen from the road does not contain a disclosure statement or contains an inaccurate disclosure statement, you should make a good faith attempt to remove or correct those signs that have been distributed. You are not required to attempt to recover other types of political advertising that have been distributed with a missing or inaccurate disclosure statement.

VI. The Fair Campaign Practices Act.

The [Fair Campaign Practices Act](#) sets out basic rules of decency, honesty, and fair play to be followed by candidates and political committees during a campaign. A candidate or political committee may choose to subscribe to the voluntary code by signing a copy of the code and filing it with the authority with whom the candidate or committee is required to file its campaign

treasurer appointment. A person subscribing to the code may indicate that fact on political advertising by including the following or a substantially similar statement:

(Name of the candidate or political committee, as appropriate) subscribes to the Code of Fair Campaign Practices.

VII. Special Notice to Political Subdivisions and School Districts.

You may not use public funds or resources for political advertising. Please see our “Publications and Guides” section of our website for more information.

ROAD SIGNS

I. When Is the “Right-Of-Way” Notice Required?

All written political advertising that is meant to be seen from a road must carry a “right-of-way” notice. It is a criminal offense to omit the “right-of-way” notice in the following circumstances:

1. if you enter into a contract or agreement to print or make written political advertising meant to be seen from a road; or
2. if you instruct another person to place the written political advertising meant to be seen from a road.

II. What Should the “Right-Of-Way” Notice Say?

Section 259.001 of the Texas Election Code prescribes the exact language of the notice:

NOTICE: IT IS A VIOLATION OF STATE LAW (CHAPTERS 392 AND 393, TRANSPORTATION CODE) TO PLACE THIS SIGN IN THE RIGHT-OF-WAY OF A HIGHWAY.

III. Do Yard Signs Have to Have the “Right-Of-Way” Notice?

Yes. The “right-of-way” notice requirement applies to signs meant to be seen from any road. The notice requirement assures that a person responsible for placing signs is aware of the restriction on placing the sign in the right-of-way of a highway.

IV. What About Bumper Stickers?

Bumper stickers do not need the “right-of-way” notice. They do, however, need a political advertising disclosure statement.

V. Where May I Place My Signs and How Long May Signs Be Posted?

For information about exactly where you may or may not place signs, or for information regarding the length of time your signs may be posted, check with your city or county government or your homeowner’s association. The Texas Ethics Commission does not have

jurisdiction over matters involving the location of signs, and the length of time that they may be posted.

MISREPRESENTATION

I. Are There Restrictions on the Contents of Political Advertising?

Political advertising and campaign communications may not misrepresent a person's identity or official title, nor may they misrepresent the true source of the advertising or communication. The election law does not address other types of misrepresentation in political advertising or campaign communications.

Note that the misrepresentation rules apply to both political advertising and campaign communications. "Campaign communication" is a broader term than "political advertising."

A "campaign communication" means "a written or oral communication relating to a campaign for nomination or election to public office or office of a political party or to a campaign on a measure."

II. Misrepresentation of Office Title.

A candidate may not represent that he or she holds an office that he or she does not hold at the time of the representation. **If you are not the incumbent in the office you are seeking, you must make it clear that you are seeking election rather than reelection by using the word "for" to clarify that you don't hold that office.** The word "for" must be at least one-half the type size as the name of the office and should appear immediately before the name of the office. For example, a non-incumbent may use the following formats:

**Vote John Doe
for Attorney General**

**John Doe
For
Attorney General**

A non-incumbent may not be allowed to use the following verbiage:

**Elect John Doe
Attorney General**

**John Doe
Attorney General**

III. Misrepresentation of Identity or Source.

A person violates the law if, with intent to injure a candidate or influence the result of an election, the person misrepresents the source of political advertising or a campaign communication or if the person misrepresents his or her own identity or the identity of his or her agent in political advertising or in a campaign communication. (If someone else is doing something for you, that person is your agent.) For example, you may not take out an ad in favor of your opponent that purports to be sponsored by a notoriously unpopular group.

IV. Use of State Seal.

Only current officeholders may use the state seal in political advertising.

V. Criminal Offenses.

Be aware that many violations of the Election Code are criminal offenses. For example, unlawfully using public funds for political advertising can be a Class A misdemeanor. So can misrepresenting one's identity or office title in political advertising. For more details on these offenses and political advertising in general, see [Chapter 255 of the Election Code](#).



TEXAS ETHICS COMMISSION



ETHICS ADVISORY OPINION NO. 550

*June 28, 2019**

ISSUE

Whether a public officer may use government resources for political advertising. (SP-14)

BACKGROUND

The Texas Ethics Commission (“Commission”) has been asked on numerous occasions about the permissibility of a public officer’s¹ use of government resources for political advertising. For example, we have been asked whether a public officer may be interviewed in his or her government office for use in a campaign video.

In the circumstances described above, the government resources come into the public officer’s custody or possession by virtue of holding the public office.

SUMMARY

A public officer, including a statewide officer, legislator, county officer, municipal officer, or school district officer, would be prohibited from using government resources, such as the officer’s office in a government building, to create a photograph, video, or other communication for political advertising because the officer has custody or possession of the government resources by virtue of holding the public office.

¹ “Public officer” includes an officer of the state or a county, municipality, city, or political subdivision, as defined in section 1.07(a) of the Penal Code and section 1.005 of the Election Code. This opinion applies to a state officer who is a district officer of the state government, such as a legislator (*see* Elec. Code § 1.005(4)), or who is a statewide officer (*see id.* § 1.005(19)). This opinion also applies to an officer of a county, city, school district, or other subordinate self-governing entity. *See id.* § 1.005(13).

* The Commission voted to reconsider and amend this opinion by striking a footnote limiting the scope of the opinion. That change took effect June 1, 2020.

ANALYSIS

The Commission, on its own initiative, issues this advisory opinion to address whether a public officer may use government resources, such as the public officer's office, to create a photograph, video, or other communication for political advertising. We also address whether a public officer may similarly use government resources that are equally accessible to the public. To resolve this question, we must address sections 39.02(a)(2) and 39.02(a)(1) of the Penal Code and section 255.003(a) of the Election Code, which restrict the use of government resources for political advertising.

Use of Government Resources for Political Advertising

Section 39.02(a)(2), Penal Code

Section 39.02(a)(2) of the Penal Code states that a public servant may not, with intent to obtain a benefit² or harm or defraud another, intentionally or knowingly "misuse[] government property, services, personnel, or any other thing of value belonging to the government that has come into the public servant's custody or possession by virtue of the public servant's office or employment." Penal Code § 39.02(a)(2). A public servant, as defined in the Penal Code, includes a public officer, among other enumerated persons.³ Because the questions addressed by the Commission relate to public officers, this opinion applies to that class of public servants.

A "misuse" means:

[T]o deal with government property contrary to:

- (A) an agreement under which the public servant holds the property;
- (B) a contract of employment or oath of office of a public servant;
- (C) a law, including provisions of the General Appropriations Act specifically relating to government property, that prescribes the manner of custody or disposition of the property; or
- (D) a limited purpose for which the property is delivered or received.

Id. § 39.01(2).

² "Benefit" is defined, in pertinent part, as "anything reasonably regarded as economic gain or advantage." Penal Code § 1.07(a)(7).

³ "Public servant" also includes an employee or agent of government, a juror or grand juror, an arbitrator or referee, a notary public, and a candidate for nomination or election public office. Penal Code § 1.07(a)(41).

The use of government resources for an individual public servant's benefit is a misuse contrary to the state constitutional requirements that public money be used for a public purpose. Tex. Const. art. III, §§ 51, 52(a).⁴ Therefore, the use of government resources for an individual public servant's private campaign purposes would be a misuse. Section 39.02(a)(2) of the Penal Code applies only to a misuse of government resources that have "come into the public servant's custody or possession by virtue of the public servant's office or employment." A public officer would have custody or possession⁵ of an office or other government resources by virtue of having exclusive control over those resources as a public officer. The public officer's use of a government office, which is restricted to the custody or possession of that officer, for political advertising would confer a benefit to the individual public servant for private campaign purposes and would violate section 39.02(a)(2) of the Penal Code.

Regarding government resources, such as the public area of a government facility, in our opinion, such an area would not be in the "custody or possession" of a public officer. Such an area would be equally accessible to those not having custody or possession of the government resources. Therefore, section 39.02(a)(2) of the Penal Code would not prohibit a public officer from using the public areas of a government building to create a communication for political advertising.

Regarding the specific example about which we have been asked, a public officer occupying the public officer's government office would have custody or possession of the government office by virtue of holding the public office. The government office would not be equally accessible to the public. We conclude that section 39.02(a)(2) would prohibit the public officer from using the public officer's government office to create any communication for political advertising, such as an interview for a campaign video. In our opinion, the best practices for public officers are to remove themselves from government facilities and decline to use other government resources, of which they have custody or possession, for campaign activity, including political advertising. We

⁴ Tex. Const. art. III, §§ 51 (legislature may not authorize grant of public money to any individual, association, municipal or other corporation), 52(a) (legislature may not authorize any county, city, town or other political corporation or subdivision of the state to grant public money or thing of value in aid of or to any individual, association, or corporation). *See also* Ethics Advisory Opinion Nos. 386 (1997) (use of state equipment or state employees to handle campaign contributions or prepare campaign finance reports for officeholders is a misuse of government resources), 172 (1993) (state employees' work time may not be used to handle campaign contributions or expenditures); Gov't Code § 556.004 (prohibiting use of legislatively appropriated money and other resources for campaign purposes); *Texans Uniting for Reform & Freedom v. Saenz*, 319 S.W.3d 914 (Tex. App. – Austin 2010), *petition denied*, 2011 Tex. LEXIS 59 (Tex., Jan. 14, 2011) (legislature intended section 556.004 of the Government Code to prohibit state officers and employees from using their official authority to affect the result of an election, to affect the nomination of a candidate, or to achieve purposes similar in kind or nature to achieving or aiding the nomination or election of candidates); Attorney General Opinion Nos. DM-431 (1997), JM-685 (1993) (both holding that governmental entity may not pay costs in connection with election contest involving government officeholder), MW-36 (1979) (public body has no authority to contribute public funds to or on behalf of an individual or organization).

⁵ "Custody" is defined as "[t]he care and control of a thing or person for inspection, preservation, or security." Black's Law Dictionary 467 (10th ed. 2014). "Possession" is defined as "[t]he fact of having or holding property in one's power; the exercise of dominion over property," and "[t]he right under which one may exercise control over something to the exclusion of all others." *Id.* at 1351. In the Penal Code, "possession" is more generally defined as "actual care, custody, control, or management." Penal Code § 1.07(a)(39).

conclude that public officers may permissibly use government resources that are equally accessible to the general public, and they should relocate to publicly accessible areas, when creating photographs, videos, or other communications for political advertising.

Section 39.02(a)(1), Penal Code

Section 39.02(a)(1) of the Penal Code states that a public servant may not, with intent to obtain a benefit or harm or defraud another, intentionally or knowingly “violate[] a law relating to the public servant’s office or employment.” Penal Code § 39.02(a)(1).⁶ Section 39.02(a)(2) of the Penal Code and the constitutional requirement to use public money for a public purpose are laws relating to the public officer’s office or employment. Therefore, in our opinion, a public officer would violate section 39.02(a)(1) of the Penal Code by using government resources of which the officer has custody or possession, including the government office, to create a photograph, video, or other communication for political advertising.

We caution that additional legal restrictions may apply to the use of any government resources, including other state or local laws or policies, and such restrictions may constitute law relating to a public servant’s office or employment under section 39.02(a)(1) of the Penal Code. This prohibition has a wide application and “allows for a vast array of potential means of committing the offense.” *State v. Martinez*, 548 S.W.3d 751, 759 (Tex. App. – Corpus Christi – Edinburg 2018), *reh’g denied*, 2018 Tex. App. LEXIS 5042 (Tex. App. – Corpus Christi – Edinburg June 11, 2018) (indictment alleging an offense under this provision must specify which law or laws relating to the public servant’s office or employment were allegedly violated). We cannot address the application of laws or policies that are outside our jurisdiction for an advisory opinion.⁷ Accordingly, we cannot provide assurance that section 39.02(a)(1) of the Penal Code, depending upon all applicable laws, would not prohibit a public officer from using other government resources that are generally accessible to the public to create a photograph, video, or other communication for political advertising.

Section 255.003(a), Election Code

Section 255.003(a) of the Election Code states, in pertinent part, that an officer of a political subdivision may not knowingly “spend or authorize the spending of public funds for political advertising.” Elec. Code § 255.003(a).⁸ The “spending” of public funds includes the use of a

⁶ “Law relating to a public servant’s office or employment” means a law that specifically applies to a person acting in the capacity of a public servant and that directly or indirectly: (A) imposes a duty on the public servant; or (B) governs the conduct of the public servant. *Id.* § 39.01(1). “Law” means the constitution or a statute of this state or of the United States, a written opinion of a court of record, a municipal ordinance, an order of a county commissioners court, or a rule authorized by and lawfully adopted under a statute. *Id.* § 1.07(a)(30).

⁷ See Gov’t Code § 571.091 (specifying the laws the commission may consider in an advisory opinion).

⁸ Section 255.003(a) of the Election Code applies to an officer of a political subdivision. “Political subdivision” includes a county, city, or school district or any other government entity that possesses authority for subordinate self-government through officers selected by it. Elec. Code § 1.005(13)(C). By contrast, section 39.02 of the Penal Code applies to any public servant. *See supra*, n. 4 (defining “public servant”).

political subdivision employee's work time or a political subdivision's equipment or facilities.⁹ "Political advertising" is defined, in pertinent part, as a communication supporting or opposing a candidate for nomination or election to a public office or a public officer that is published or broadcast in return for consideration or appears in various forms of writing or on an Internet website. *Id.* § 251.001(16).

For purposes of section 255.003(a) of the Election Code, we have concluded that the use of a facility maintained by a political subdivision, in an area that was restricted to its employees, required government resources to operate while in that restricted area, and therefore violated section 255.003(a) of the Election Code.¹⁰ Furthermore, we have found violations of section 255.003(a) of the Election Code on numerous occasions since the statute was enacted where public officers controlled the access to certain government resources.¹¹

CONCLUSION

Section 39.02(a)(2) of the Penal Code prohibits a public officer from using government resources, of which the officer has custody or possession, to create a photograph, video, or other communication for political advertising. In addition, section 255.003(a) of the Election Code prohibits a public officer, who is also an officer of a political subdivision, from using government resources, such as restricted areas of government facilities, for political advertising. These statutes do not prohibit a public officer from using government resources that are equally accessible to the public for political advertising. Section 39.02(a)(1) of the Penal Code may, depending on all applicable laws, prohibit a public officer from using publicly accessible government resources for political advertising.

⁹ See, e.g., Ethics Advisory Opinion No. 443 (2002) (placement of campaign flyers in a school district teachers' lounge would involve the spending of public funds where school district employees were required to transport the flyers to an area of the school that was not accessible to the public), Ethics Advisory Opinion No. 45 (1992) (distribution of political advertising using school district equipment or school district employees on school district time would be the spending of public funds where an already existing internal mail system was used); Attorney General Opinion No. KP-177 (2018) (this statute prohibits the use of school district staff, facilities, or other resources where school districts electronically distributed links to Internet websites that were partisan in nature).

¹⁰ Ethics Advisory Opinion No. 443 (2002).

¹¹ See, e.g., *In re Brooks* (SC-3180260) (2018) (use of a county-owned vehicle dedicated to the officer's use), *In re Wilson* (SC-31712183) (2018) (use of a county Facebook page maintained by the officer), *In re Joiner* (SC-31605137) (2017) (use of newsletter headlined as from officer's desk), *In re Hawkins* (SC-31011409) (2012) (use of space in a city utility bill), *In re Downs* (SC-240588) (2004) (use of space in a city water bill), *In re McRae* (SC-240226) (2004) (use of city letterhead), *In re Clark* (SC-240225) (2004) (use of city letterhead), *In re Bowman* (SC-240218) (2004) (use of emergency services district letterhead), *In re Lord* (SC-230963) (2004) (use of city-contracted video production), *In re Williams, et. al.* (SC-211170) (2001) (use of space in city water bill and airtime on city cable channel), *In re Morgan* (SC-210541) (2001) (use of internal mail system), and *In re Williams* (SC-991032) (1999) (use of special edition of sheriff's report).

Campaign Signs

During campaign season, the landscape blooms with a special kind of flower - the political sign. Unlike wildflowers that are welcome anywhere, putting campaign signs on public lands is illegal. So before you plant that sign, learn the law and keep Texas beautiful. TxDOT only regulates campaign signs under chapter 394 of the Texas Transportation Code.

You Need to Know

- It is illegal to place any signs on or within the right of way. This includes posting signs on trees, telephone poles, traffic signs and other objects on the right of way.
- Campaign signs along Texas roads can be placed on private property with the owner's permission.
- Before placing a sign inside of incorporated city limits, check with the city for applicable ordinances.

More information can be found in the [Political and Campaign Signs pamphlet](#).

Sign Removal

If you've placed your sign in the right of way or it's posing a traffic hazard, we will remove it without prior notice. All costs associated with sign removal will be paid by the sign owner.

More Information

TxDOT only controls the placement of signs in relation to the highway. For other questions concerning campaign signs or political advertising, you may wish to visit the [Texas Ethics Commission](#).

Contact Us

(512) 416-3030

[Email](#)

POLITICAL AND CAMPAIGN SIGNS

NON-COMMERCIAL SIGNS VISIBLE TO PUBLIC HIGHWAYS

PRIMARY HIGHWAYS

During campaign season, the landscape blooms with a special kind of flower - the political sign. Unlike wildflowers which are welcome anywhere, putting campaign signs on public lands is illegal. So before you plant that sign, learn the law and keep Texas beautiful.

TxDOT only controls the location of commercial signs, and never controls the content of any signage. If you have questions about what may be on a political sign, please contact the Texas Ethics Commission at (512) 463-5800.

FREQUENTLY ASKED QUESTIONS:

Where can I place political signs?

You can place your signs anywhere so long as they are not in the highway right of way or in a location that poses a safety hazard (e.g. blocking sight to a driveway). Always make sure to check with local authorities (Cities, Counties, Homeowner's Associations, etc.) as they may have their own restrictions.

When can I place political signs?

Cities and counties may have their own time restrictions for political signs, however TxDOT does not enforce any timing restrictions.

There is a sign on private property posing a safety hazard

If you believe a sign or signs create a safety hazard, contact local law enforcement as they can have the owner remove or relocate their sign(s).

There are signs located on the Right of Way (ROW)

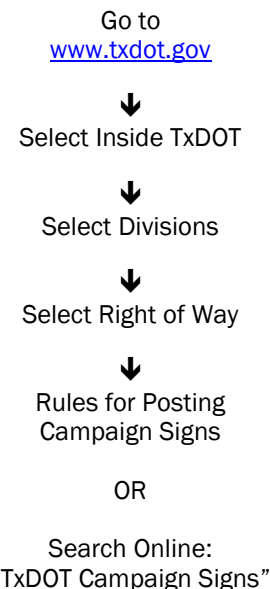
Signs cannot be placed on the ROW as per Texas Transportation Code (TTC) §393.002. "A sheriff, constable, or other trained volunteer authorized by the commissioners court of a county may confiscate a sign placed in violation of Section 393.002." (TTC §393.003). For state-maintained highways, your local TxDOT district office also has the authority to remove signs located on state owned right of way.

Where is the ROW?

If you are unsure where the ROW starts or ends, you should contact your local TxDOT district office.

ONLINE INFORMATION

This same information is available online on TxDOT's website and can be accessed by the below method:



CONTACT US

The contact information for your local TxDOT office can be found online at:

www.txdot.gov → Inside TxDOT → Districts

Then use the map or the drop-down list to select your county for specific contact information.

For any other questions concerning political signs along Texas highways, contact the TxDOT Commercial Signs Regulatory Program by email at:

ROW_OutdoorAdvertising@txdot.gov

or by phone at:

(512) 416-3030

First Steps for Candidates Running for a County, Precinct, or District Office

This quick-start guide for non-judicial candidates is not intended to provide comprehensive information. Different filing requirements apply to certain judicial offices. For more details, including information for judicial candidates, see the Texas Ethics Commission's (TEC) website at www.ethics.state.tx.us.

1. All candidates must file a Campaign Treasurer Appointment (**Form CTA**)

All candidates must file **Form CTA** even if you do not intend to raise or spend any money. **Form CTA** is required to be filed before you file an application for a place on the ballot, raise or spend any money for your campaign, or announce your candidacy. Candidates for a county office (except for multi-county district offices) will file **Form CTA** with the county clerk, elections administrator, or tax assessor, as applicable.

2. Opposed Candidates: Will you accept or spend more than \$930* for the election?

• YES:

- You do not qualify to file on the modified reporting schedule.
- You are **required** to file pre-election campaign finance reports using **Form C/OH** if you have an opponent on the ballot. Find **Form C/OH** and its instructions on our "[Local Filers Non-Judicial Candidate/Officeholder](#)" webpage.
- Pre-election reports are due 30 days and 8 days prior to each election. To be timely filed, pre-election reports must be received by the county clerk, elections administrator, or tax assessor no later than the due date.

• NO:

- You can elect to file on the modified reporting schedule by completing the *Modified Reporting Declaration* on page two of **Form CTA**. File **Form CTA** with the county clerk, elections administrator, or tax assessor.
- If you elect to file on the modified reporting schedule, you do not have to file pre-election campaign finance reports due 30 days and 8 days prior to the election.

- Exceed \$930*: If you elect to file on the modified reporting schedule but later exceed \$930* in either contributions or expenditures, what reports you will be required to file depends upon when you exceed \$930*.

- If you exceed \$930* prior to the 30th day before the election, you are **required** to file pre-election campaign finance reports due 30 days and 8 days prior to an election using **Form C/OH**. To be timely filed, pre-election reports must be received by the county clerk, elections administrator, or tax assessor no later than the due date. Find **Form C/OH** and its instructions on our "[Local Filers Non-Judicial Candidate/Officeholder](#)" webpage.
- If you exceed \$930* after the 30th day before the election, you are **required** to file an Exceeded \$930* Limit report using **Form C/OH**. To be timely filed, this report must be filed with the county clerk, elections administrator, or tax assessor within 48 hours of exceeding \$930*. Find **Form C/OH** and its instructions on our "[Local Filers Non-Judicial Candidate/Officeholder](#)" webpage.

- If you exceed \$930* prior to the 8th day before the election, you are **required** to file a pre-election campaign finance report due 8 days prior to an election using [Form C/OH](#). To be timely filed, the pre-election report must be received by the county clerk, elections administrator, or tax assessor no later than the due date. Find [Form C/OH](#) and its instructions on our “[Local Filers Non-Judicial Candidate/Officeholder](#)” webpage.

3. Unopposed Candidates

If you do not have an opponent whose name will appear on the ballot in the election, you are an unopposed candidate and are not required to file pre-election campaign finance reports prior to that election.

4. All candidates must file semiannual campaign finance reports ([Form C/OH](#))

All candidates are **required** to file semiannual reports using [Form C/OH](#) even if you have no campaign activity or were unsuccessful in the election. Semiannual reports are due on January 15th and July 15th and must be filed with the county clerk, elections administrator, or tax assessor. To end your filing obligations, you must cease campaign activity and file a Final report using [Form C/OH](#) and attaching Form C/OH-FR (Designation of Final Report). Form C/OH-FR is found on the last page of [Form C/OH](#). Find [Form C/OH](#) and its instructions on our “[Local Filers Non-Judicial Candidate/Officeholder](#)” webpage. For more information, see “[Ending Your Campaign](#)” for local filers.

5. All candidates can use the TEC’s Filing Application to prepare campaign finance reports ([Form C/OH](#))

You can use the TEC’s [Filing Application](#) to prepare a PDF version of your campaign finance reports ([Form C/OH](#)). Select “Local Authority” and follow the steps to set up an account and login to the application. The filing application will walk you through each reporting schedule. Once you have completed your report, print out a copy, add your treasurer information, get it notarized, and file it with the county clerk, elections administrator, or tax assessor by the appropriate deadline.

6. Need More Information?

See the [Campaign Finance Guide for Candidates and Officeholders Who File With Local Filing Authorities](#), forms, instructions, examples on how to disclose contributions and expenditures, political advertising and fundraising guides, and other information you may find useful on our website at www.ethics.state.tx.us under the “Resources” and “Forms/Instructions” main menu items.

***NOTE:** The \$930 threshold is specific to transactions made in 2021.

APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

FORM CTA
PG 1

See CTA Instruction Guide for detailed instructions.		1 Total pages filed:	
2 CANDIDATE NAME	MS / MRS / MR	FIRST	MI
	<div> <div>NICKNAME</div> <div>LAST</div> <div>SUFFIX</div> </div>		
3 CANDIDATE MAILING ADDRESS	ADDRESS / PO BOX; APT / SUITE #; CITY; STATE; ZIP CODE		
	Date Hand-delivered or Postmarked		
4 CANDIDATE PHONE	AREA CODE	PHONE NUMBER	EXTENSION
	<div>()</div>		
5 OFFICE HELD (if any)			Date Imaged
6 OFFICE SOUGHT (if known)			
7 CAMPAIGN TREASURER NAME	MS/MRS/MR	FIRST	MI NICKNAME LAST SUFFIX
8 CAMPAIGN TREASURER STREET ADDRESS (residence or business)	STREET ADDRESS; APT / SUITE #; CITY; STATE; ZIP CODE		
9 CAMPAIGN TREASURER PHONE	AREA CODE	PHONE NUMBER	EXTENSION
<div>()</div>			
10 CANDIDATE SIGNATURE	<p>I am aware of the Nepotism Law, Chapter 573 of the Texas Government Code.</p> <p>I am aware of my responsibility to file timely reports as required by title 15 of the Election Code.</p> <p>I am aware of the restrictions in title 15 of the Election Code on contributions from corporations and labor organizations.</p> <div> <div>_____</div> <div>_____</div> </div> <div> <div>Signature of Candidate</div> <div>Date Signed</div> </div>		

GO TO PAGE 2

CANDIDATE MODIFIED REPORTING DECLARATION

FORM CTA
PG 2

11 CANDIDATE
NAME

12 MODIFIED
REPORTING
DECLARATION

COMPLETE THIS SECTION ONLY IF YOU ARE CHOOSING MODIFIED REPORTING

•• This declaration must be filed no later than the 30th day before the first election to which the declaration applies. ••

•• The modified reporting option is valid for one election cycle only. ••
(An election cycle includes a primary election, a general election, and any related runoffs.)

•• Candidates for the office of state chair of a political party may NOT choose modified reporting. ••

I do not intend to accept more than \$930 in political contributions or make more than \$930 in political expenditures (excluding filing fees) in connection with any future election within the election cycle. I understand that if either one of those limits is exceeded, I will be required to file pre-election reports and, if necessary, a runoff report.

Year of election(s) or election cycle to
which declaration applies

Signature of Candidate

This appointment is effective on the date it is filed with the appropriate filing authority.

TEC Filers may send this form to the TEC electronically at treasappoint@ethics.state.tx.us
or mail to
Texas Ethics Commission
P.O. Box 12070
Austin, TX 78711-2070

**Non-TEC Filers must file this form with the local filing authority
DO NOT SEND TO TEC**

For more information about where to file go to:
<https://www.ethics.state.tx.us/filinginfo/QuickFileAReport.php>

TEXAS ETHICS COMMISSION

APPOINTMENT OF A CAMPAIGN TREASURER
BY A CANDIDATE

FORM CTA--INSTRUCTION GUIDE



Revised July 26, 2021

Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711

www.ethics.state.tx.us

(512) 463-5800 • TDD (800) 735-2989

Promoting Public Confidence in Government

FORM CTA—INSTRUCTION GUIDE

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APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

GENERAL INSTRUCTIONS

These instructions are for the APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE (Form CTA). Use Form CTA only for appointing your campaign treasurer. Use the AMENDMENT (Form ACTA) for changing information previously reported on Form CTA and for renewing your choice to report under the modified schedule. Note: Candidates for most judicial offices use Form JCTA to file a campaign treasurer appointment.

DUTIES OF A CANDIDATE OR OFFICEHOLDER

As a candidate or officeholder, you alone, not the campaign treasurer, are responsible for filing this form and all candidate/officeholder reports of contributions, expenditures, and loans. Failing to file a report on time or filing an incomplete report may subject you to criminal or civil penalties.

QUALIFICATIONS OF CAMPAIGN TREASURER

A person is ineligible for appointment as a campaign treasurer if the person is the campaign treasurer of a political committee that has outstanding filing obligations (including outstanding penalties). This prohibition does not apply if the committee in connection with which the ineligibility arose has not accepted more than \$5,000 in political contributions or made more than \$5,000 in political expenditures in any semiannual reporting period. A person who violates this prohibition is liable for a civil penalty not to exceed three times the amount of political contributions accepted or political expenditures made in violation of this provision. Note: A candidate may appoint himself or herself as his or her own campaign treasurer.

DUTIES OF A CAMPAIGN TREASURER

State law does not impose any obligations on a candidate's campaign treasurer.

REQUIREMENT TO FILE BEFORE BEGINNING A CAMPAIGN

If you plan to run for a public office in Texas (except for a federal office), you must file this form when you become a candidate even if you do not intend to accept campaign contributions or make campaign expenditures. A "candidate" is a person who knowingly and willingly takes affirmative action for the purpose of gaining nomination or election to public office or for the purpose of satisfying financial obligations incurred by the person in connection with the campaign for nomination or election. Examples of affirmative action include:

- (A) the filing of a campaign treasurer appointment, except that the filing does not constitute candidacy or an announcement of candidacy for purposes of the automatic resignation provisions of Article XVI, Section 65, or Article XI, Section 11, of the Texas Constitution;
- (B) the filing of an application for a place on the ballot;

- (C) the filing of an application for nomination by convention;
- (D) the filing of a declaration of intent to become an independent candidate or a declaration of write-in candidacy;
- (E) the making of a public announcement of a definite intent to run for public office in a particular election, regardless of whether the specific office is mentioned in the announcement;
- (F) before a public announcement of intent, the making of a statement of definite intent to run for public office and the soliciting of support by letter or other mode of communication;
- (G) the soliciting or accepting of a campaign contribution or the making of a campaign expenditure; and
- (H) the seeking of the nomination of an executive committee of a political party to fill a vacancy.

Additionally, the law provides that you must file this form before you may accept a campaign contribution or make or authorize a campaign expenditure, including an expenditure from your personal funds. A filing fee paid to a filing authority to qualify for a place on a ballot is a campaign expenditure that may not be made before filing a campaign treasurer appointment form with the proper filing authority.

If you are an officeholder, you may make officeholder expenditures and accept officeholder contributions without having a campaign treasurer appointment on file. If you do not have a campaign treasurer appointment on file and you wish to accept *campaign* contributions or make *campaign* expenditures in connection with your office or for a different office, you must file this form before doing so. In such a case, a sworn report of contributions, expenditures, and loans will be due no later than the 15th day after filing this form.

WHERE TO FILE A CAMPAIGN TREASURER APPOINTMENT

The appropriate filing authority depends on the office sought or held.

a. Texas Ethics Commission. The Texas Ethics Commission (Commission) is the appropriate filing authority for the Secretary of State and for candidates for or holders of the following offices:

- Governor, Lieutenant Governor, Attorney General, Comptroller, Treasurer, Land Commissioner, Agriculture Commissioner, Railroad Commissioner.
- State Senator or State Representative.
- Supreme Court Justice, Court of Criminal Appeals Judge, and Court of Appeals Judge.*
- State Board of Education.

- A multi-county district judge* or multi-county district attorney.
- A single-county district judge.*
- An office of a political subdivision other than a county if the political subdivision includes areas in more than one county and if the governing body of the political subdivision has not been formed.
- A chair of the state executive committee of a political party with a nominee on the ballot in the most recent gubernatorial election.
- A county chair of a political party with a nominee on the ballot in the most recent gubernatorial election if the county has a population of 350,000 or more.

* Judicial candidates use FORM JCTA to appoint a campaign treasurer.

b. County Clerk. The county clerk (or the county elections administrator or tax assessor, as applicable) is the appropriate local filing authority for a candidate for:

- A county office.
- A precinct office.
- A district office (except for multi-county district offices).
- An office of a political subdivision other than a county if the political subdivision is within the boundaries of a single county and if the governing body of the political subdivision has not been formed.

c. Local Filing Authority. If a candidate is seeking an office of a political subdivision other than a county, the appropriate filing authority is the *clerk or secretary of the governing body* of the political subdivision. If the political subdivision has no clerk or secretary, the appropriate filing authority is the governing body's presiding officer. Basically, any political subdivision that is authorized by the laws of this state to hold an election is considered a local filing authority. Examples are cities, school districts, and municipal utility districts.

FILING WITH A DIFFERENT AUTHORITY

If you have a campaign treasurer appointment on file with one authority, and you wish to accept campaign contributions or make or authorize campaign expenditures in connection with another office that would require filing with a different authority, you must file a new campaign treasurer appointment *and* a copy of your old campaign treasurer appointment (certified by the old authority) with the new filing authority before beginning your campaign. You should also provide written notice to the original filing authority that your future reports will be filed with another authority; use Form CTA-T for this purpose.

FORMING A POLITICAL COMMITTEE

As a candidate, you must file an APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE (FORM CTA). You may also form a specific-purpose committee to support your candidacy. Remember that filing a campaign treasurer appointment for a political committee does not eliminate the requirement that a candidate file his or her own campaign treasurer appointment (FORM CTA) and the related reports.

NOTE: *See the Campaign Finance Guide for Political Committees for further information about specific-purpose committees.*

CHANGING A CAMPAIGN TREASURER

If you wish to change your campaign treasurer, simply file an amended campaign treasurer appointment (FORM ACTA). This will automatically terminate the outgoing campaign treasurer appointment.

AMENDING A CAMPAIGN TREASURER APPOINTMENT

If *any* of the information reported on the campaign treasurer appointment (FORM CTA) changes, file an AMENDMENT: APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE (FORM ACTA) to report the change.

REPORTING REQUIREMENT FOR CERTAIN OFFICEHOLDERS

If you are an officeholder who appoints a campaign treasurer after a period of not having one, you must file a report of contributions, expenditures, and loans no later than the 15th day after your appointment is effective. This requirement is not applicable if you are a candidate or an officeholder who is merely changing campaign treasurers.

TERMINATING A CAMPAIGN TREASURER APPOINTMENT

You may terminate your campaign treasurer appointment at any time by:

- 1) filing a campaign treasurer appointment for a successor campaign treasurer, or
- 2) filing a final report.

Remember that you may not accept any campaign contributions or make or authorize any campaign expenditures without a campaign treasurer appointment on file. You may, however, accept officeholder contributions and make or authorize officeholder expenditures.

If your campaign treasurer quits, he or she must give written notice to both you and your filing authority. The termination will be effective on the date you receive the notice or on the date your filing authority receives the notice, whichever is later.

FILING A FINAL REPORT

For filing purposes, you are a “candidate” as long as you have an appointment of campaign treasurer on file. If you do not expect to accept any further campaign contributions or to make any further campaign expenditures, you may file a final report of contributions and expenditures. A final report terminates your appointment of campaign treasurer and relieves you of the obligation of filing further reports as a candidate. If you have surplus funds, or if you retain assets purchased with political funds, you will be required to file annual reports. (*See instructions for FORM C/OH - UC.*) If you are an officeholder at the time of filing a final report, you may be required to file semiannual reports of contributions, expenditures, and loans as an officeholder.

If you do not have an appointment of campaign treasurer on file, you may not accept *campaign* contributions or make *campaign* expenditures. A payment on a campaign debt is a campaign expenditure. An officeholder who does not have an appointment of campaign treasurer on file may accept *officeholder* contributions and make *officeholder* expenditures.

To file a final report, you must complete the CANDIDATE/OFFICEHOLDER CAMPAIGN FINANCE REPORT (FORM C/OH), check the “final” box on Page 1, Section 9, and complete and attach the DESIGNATION OF FINAL REPORT (FORM C/OH-FR).

ELECTRONIC FILING

All persons filing campaign finance reports with the Commission are required to file those reports electronically unless the person is entitled to claim an exemption. Please check the Commission’s website at <http://www.ethics.state.tx.us> for information about exemptions from the electronic filing requirements.

GUIDES

All candidates should review the applicable Commission’s campaign finance guide. Guides are available on the Commission’s website at <http://www.ethics.state.tx.us>.

SPECIFIC INSTRUCTIONS

Each numbered item in these instructions corresponds to the same numbered item on the form.

PAGE 1

- 1. TOTAL PAGES FILED:** After you have completed the form, enter the total number of pages of this form and any additional pages. A “page” is one side of a two-sided form. If you are not using a two-sided form, a “page” is a single sheet.
- 2. CANDIDATE NAME:** Enter your full name, including nicknames and suffixes (e.g., Sr., Jr., III), if applicable. Enter your name in the same way on Page 2, Section 11, of this form.
- 3. CANDIDATE MAILING ADDRESS:** Enter your complete mailing address, including zip code. This information will allow your filing authority to correspond with you. If this information changes, please notify your filing authority immediately.

4. **CANDIDATE PHONE:** Enter your phone number, including the area code and extension, if applicable.
5. **OFFICE HELD:** If you are an officeholder, please enter the office you currently hold. Include the district, precinct, or other designation for the office, if applicable.
6. **OFFICE SOUGHT:** If you are a candidate, please enter the office you seek, if known. Include the district, precinct, or other designation for the office, if applicable.
7. **CAMPAIGN TREASURER NAME:** Enter the full name of your campaign treasurer, including nicknames and suffixes (e.g., Sr., Jr., III), if applicable.
8. **CAMPAIGN TREASURER STREET ADDRESS:** Enter the complete street address of your campaign treasurer, including the zip code. You may enter either the treasurer's business or residential street address. If you are your own treasurer, you may enter either your business or residential street address. Please do not enter a P.O. Box.
9. **CAMPAIGN TREASURER PHONE:** Enter the phone number of your campaign treasurer, including the area code and extension, if applicable.
10. **CANDIDATE SIGNATURE:** Enter your signature after reading the summary. Your signature here indicates that you have read the following summary of the nepotism law; that you are aware of your responsibility to file timely reports; and that you are aware of the restrictions on contributions from corporations and labor organizations.
 - The Texas nepotism law (Government Code, chapter 573) imposes certain restrictions on both officeholders and candidates. You should consult the statute in regard to the restrictions applicable to officeholders.
 - A candidate may not take an affirmative action to influence an employee of the office to which the candidate seeks election in regard to the appointment, confirmation, employment or employment conditions of an individual who is related to the candidate within a prohibited degree.
 - A candidate for a multi-member governmental body may not take an affirmative action to influence an officer or employee of the governmental body to which the candidate seeks election in regard to the appointment, confirmation, or employment of an individual related to the candidate in a prohibited degree.
 - Two people are related within a prohibited degree if they are related within the third degree by consanguinity (blood) or the second degree by affinity (marriage). The degree of consanguinity is determined by the number of generations that separate them. If neither is descended from the other, the degree of consanguinity is determined by adding the number of generations that each is separated from a common ancestor. Examples: (1) first degree - parent to child; (2) second degree - grandparent to grandchild; or brother to sister; (3) third degree - great-grandparent to great-grandchild; or aunt to niece who is child of individual's brother or sister. A husband and wife are related in the first degree by affinity. A wife has the same degree of relationship by affinity to her husband's relatives as her husband has by

consanguinity. For example, a wife is related to her husband's grandmother in the second degree by affinity.

PAGE 2

11. CANDIDATE NAME: Enter your name as you did on Page 1.

12. MODIFIED REPORTING DECLARATION: Sign this option if you wish to report under the modified reporting schedule.

The modified reporting option is not available for candidates for the office of state chair of a political party and candidates for county chair of a political party.

To the left of your signature, enter the year of the election or election cycle to which your selection of modified reporting applies.

Your selection of modified reporting is valid for an entire election cycle. For example, if you choose modified reporting before a primary election, your selection remains in effect for any runoff and for the general election and any related runoff. You must make this selection at least 30 days before the first election to which your selection applies.

An opposed candidate in an election is eligible to report under the modified reporting schedule if he or she does not intend to accept more than \$930 in political contributions or make more than \$930 in political expenditures in connection with an election. The amount of a filing fee paid to qualify for a place on the ballot does not count against the \$930 expenditure limit. An opposed candidate who reports under the modified schedule is not required to file pre-election reports (due 30 days and 8 days before an election) or runoff reports (due 8 days before a runoff). (Note: An *unopposed* candidate is not required to file pre-election reports in the first place.) The obligations to file semiannual reports, special pre-election reports (formerly known as telegram reports), or special session reports, if applicable, are not affected by selecting the modified schedule.

The \$930 maximums apply to each election within the cycle. In other words, you are limited to \$930 in contributions and expenditures in connection with the primary, an additional \$930 in contributions and expenditures in connection with the general election, and an additional \$930 in contributions and expenditures in connection with a runoff.

EXCEEDING \$930 IN CONTRIBUTIONS OR EXPENDITURES. If you exceed \$930 in contributions or expenditures in connection with an election, you must file according to the regular filing schedule. In other words, you must file pre-election reports and a runoff report, if you are in a runoff.

If you exceed either of the \$930 limits *after the 30th day before the election*, you must file a sworn report of contributions and expenditures within 48 hours after exceeding the limit. After that, you must file any pre-election reports or runoff reports that are due under the regular filing schedule.

Your selection is not valid for other elections or election cycles. Use the AMENDMENT (FORM ACTA) to renew your option to file under the modified schedule for a different election year or election cycle.

For more information, see the Commission's campaign finance guide that applies to you.

CODE OF FAIR CAMPAIGN PRACTICES

FORM CFCP COVER SHEET

Pursuant to chapter 258 of the Election Code, every candidate and political committee is encouraged to subscribe to the Code of Fair Campaign Practices. The Code may be filed with the proper filing authority upon submission of a campaign treasurer appointment form. Candidates or political committees that already have a current campaign treasurer appointment on file as of September 1, 1997, may subscribe to the code at any time.

Subscription to the Code of Fair Campaign Practices is voluntary.

OFFICE USE ONLY

Date Received

Date Hand-delivered or Postmarked

Date Processed

Date Imaged

1 ACCOUNT NUMBER
(Ethics Commission Filers)

2 TYPE OF FILER

CANDIDATE ☐

POLITICAL COMMITTEE ☐

*If filing as a candidate, complete boxes 3 - 6,
then read and sign page 2.*

*If filing for a political committee, complete
boxes 7 and 8, then read and sign page 2.*

3 NAME OF CANDIDATE
(PLEASE TYPE OR PRINT)

TITLE (Dr., Mr., Ms., etc.)

FIRST

MI

NICKNAME

LAST

SUFFIX (SR., JR., III, etc.)

**4 TELEPHONE NUMBER
OF CANDIDATE**
(PLEASE TYPE OR PRINT)

AREA CODE

PHONE NUMBER

EXTENSION

()

5 ADDRESS OF CANDIDATE
(PLEASE TYPE OR PRINT)

STREET / PO BOX;

APT / SUITE #;

CITY;

STATE;

ZIP CODE

**6 OFFICE SOUGHT
BY CANDIDATE**
(PLEASE TYPE OR PRINT)

7 NAME OF COMMITTEE
(PLEASE TYPE OR PRINT)

**8 NAME OF CAMPAIGN
TREASURER**
(PLEASE TYPE OR PRINT)

TITLE (Dr., Mr., Ms., etc.)

FIRST

MI

NICKNAME

LAST

SUFFIX (SR., JR., III, etc.)

GO TO PAGE 2

CODE OF FAIR CAMPAIGN PRACTICES

There are basic principles of decency, honesty, and fair play that every candidate and political committee in this state has a moral obligation to observe and uphold, in order that, after vigorously contested but fairly conducted campaigns, our citizens may exercise their constitutional rights to a free and untrammelled choice and the will of the people may be fully and clearly expressed on the issues.

THEREFORE:

- (1) I will conduct the campaign openly and publicly and limit attacks on my opponent to legitimate challenges to my opponent's record and stated positions on issues.
- (2) I will not use or permit the use of character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or the candidate's personal or family life.
- (3) I will not use or permit any appeal to negative prejudice based on race, sex, religion, or national origin.
- (4) I will not use campaign material of any sort that misrepresents, distorts, or otherwise falsifies the facts, nor will I use malicious or unfounded accusations that aim at creating or exploiting doubts, without justification, as to the personal integrity or patriotism of my opponent.
- (5) I will not undertake or condone any dishonest or unethical practice that tends to corrupt or undermine our system of free elections or that hampers or prevents the full and free expression of the will of the voters, including any activity aimed at intimidating voters or discouraging them from voting.
- (6) I will defend and uphold the right of every qualified voter to full and equal participation in the electoral process, and will not engage in any activity aimed at intimidating voters or discouraging them from voting.
- (7) I will immediately and publicly repudiate methods and tactics that may come from others that I have pledged not to use or condone. I shall take firm action against any subordinate who violates any provision of this code or the laws governing elections.

I, the undersigned, candidate for election to public office in the State of Texas or campaign treasurer of a political committee, hereby voluntarily endorse, subscribe to, and solemnly pledge myself to conduct the campaign in accordance with the above principles and practices.

Signature

Date

TEXAS ETHICS COMMISSION

CHAPTER 258, ELECTION CODE

FAIR CAMPAIGN PRACTICES



Effective September 1, 1997
(Revised 9/1/2019)

Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711

www.ethics.state.tx.us

(512) 463-5800 • TDD (800) 735-2989

Promoting Public Confidence in Government

CHAPTER 258, ELECTION CODE

FAIR CAMPAIGN PRACTICES

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ELECTION CODE

TITLE 15. REGULATING POLITICAL FUNDS AND CAMPAIGNS

CHAPTER 258. FAIR CAMPAIGN PRACTICES

Sec. 258.001. SHORT TITLE. This chapter may be cited as the Fair Campaign Practices Act.

Sec. 258.002. PURPOSE.

(a) The purpose of this chapter is to encourage every candidate and political committee to subscribe to the Code of Fair Campaign Practices.

(b) It is the intent of the legislature that every candidate and political committee that subscribes to the Code of Fair Campaign Practices will follow the basic principles of decency, honesty, and fair play to encourage healthy competition and open discussion of issues and candidate qualifications and to discourage practices that cloud the issues or unfairly attack opponents.

Sec. 258.003. DELIVERY OF COPY OF CODE.

(a) When a candidate or political committee files its campaign treasurer appointment, the authority with whom the appointment is filed shall give the candidate or political committee a blank form of the Code of Fair Campaign Practices and a copy of this chapter.

(b) The authority shall inform each candidate or political committee that the candidate or committee may subscribe to and file the code with the authority and that subscription to the code is voluntary.

Sec. 258.004. TEXT OF CODE. The Code of Fair Campaign Practices reads as follows:

CODE OF FAIR CAMPAIGN PRACTICES

There are basic principles of decency, honesty, and fair play that every candidate and political committee in this state has a moral obligation to observe and uphold, in order that, after vigorously contested but fairly conducted campaigns, our citizens may exercise their constitutional rights to a free and untrammelled choice and the will of the people may be fully and clearly expressed on the issues.

THEREFORE:

(1) I will conduct the campaign openly and publicly and limit attacks on my opponent to legitimate challenges to my opponent's record and stated positions on issues.

(2) I will not use or permit the use of character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or the candidate's personal or family life.

(3) I will not use or permit any appeal to negative prejudice based on race, sex, religion, or national origin.

(4) I will not use campaign material of any sort that misrepresents, distorts, or otherwise falsifies the facts, nor will I use malicious or unfounded accusations that aim at

creating or exploiting doubts, without justification, as to the personal integrity or patriotism of my opponent.

(5) I will not undertake or condone any dishonest or unethical practice that tends to corrupt or undermine our system of free elections or that hampers or prevents the full and free expression of the will of the voters, including any activity aimed at intimidating voters or discouraging them from voting.

(6) I will defend and uphold the right of every qualified voter to full and equal participation in the electoral process, and will not engage in any activity aimed at intimidating voters or discouraging them from voting.

(7) I will immediately and publicly repudiate methods and tactics that may come from others that I have pledged not to use or condone. I shall take firm action against any subordinate who violates any provision of this code or the laws governing elections.

I, the undersigned, candidate for election to public office in the State of Texas or campaign treasurer of a political committee, hereby voluntarily endorse, subscribe to, and solemnly pledge myself to conduct the campaign in accordance with the above principles and practices.

VOID – COPY ONLY - VOID¹

Date

Signature

Sec. 258.005. FORMS. The commission shall print copies of the Code of Fair Campaign Practices and shall supply the forms to the authorities with whom copies of the code may be filed in quantities and at times requested by the authorities.

Sec. 258.006. ACCEPTANCE AND PRESERVATION OF COPIES.

(a) An authority with whom a campaign treasurer appointment is filed shall accept each completed copy of the code submitted to the authority that is properly subscribed to by a candidate or the campaign treasurer of a political committee.

(b) Each copy of the code accepted under this section shall be preserved by the authority with whom it is filed for the period prescribed for the filer's campaign treasurer appointment.

Sec. 258.007. SUBSCRIPTION TO CODE VOLUNTARY. The subscription to the Code of Fair Campaign Practices by a candidate or a political committee is voluntary.

Sec. 258.008. INDICATION ON POLITICAL ADVERTISING. A candidate or a political committee that has filed a copy of the Code of Fair Campaign Practices may so indicate on political advertising in a form to be determined by the commission.

Sec. 258.009. CIVIL CAUSE OF ACTION. This chapter does not create a civil cause of action for recovery of damages or for enforcement of this chapter.

¹ This document is a copy of chapter 258, Election Code. To subscribe to the Code of Fair Campaign Practices, a candidate or campaign treasurer of a political committee must submit Texas Ethics Commission FORM CFCP, not a signed copy of this document.

Frequently Asked Questions

For Candidates

1. I've decided to run for office. Now what?

After you make the decision to run for office, you must file a [Campaign Treasurer Appointment](#). (Judicial candidates need to use [Form JCTA](#)). This is required before you file an application for a place on the ballot, raise or spend any money for your campaign, or announce your candidacy publicly or privately. Please be aware that becoming a candidate will trigger filing requirements. You can familiarize yourself with these requirements by consulting the appropriate [campaign finance guide](#) and [filing schedule](#).

If this is your first time filing reports with the Texas Ethics Commission, you will be assigned a Filer ID from the Commission after the Commission has received your Campaign Treasurer Appointment. This Filer ID and a link to set your password will be emailed to you. The Ethics Commission will also mail to you via the United States Postal System pertinent information on reporting requirements, late-filing penalties, and online locations of the Commission's forms, schedules, and guides. Once you have a Filer ID and have set your password, you can electronically file your campaign finance reports.

2. I'm not going to raise any money. Do I still need to appoint a treasurer?

Yes. The law requires every candidate to file a campaign treasurer appointment, even if the candidate does not intend to raise or spend money. You are permitted to appoint yourself as your treasurer.

3. If I run for office again do I need to appoint a campaign treasurer again?

If you are running for the same office and have not terminated your campaign treasurer appointment by filing a final report, you are not required to file another appointment of a campaign treasurer (Form CTA).

4. Where do I file my forms?

Where you file depends on whether you are running for a "local" office or one that is required to file with the Texas Ethics Commission.

5. How do I determine whether I am a "local" filer or a Texas Ethics Commission filer?

Local offices may include:

- County offices (county commissioner, tax assessor/collector, precinct chair, constable, justice of the peace, sheriff, etc.)
- City offices (mayor, council member, secretary, etc.)
- Political Subdivision offices (school board, community college trustee, municipal utility district, water district, etc.)

Statewide offices and other offices that file with the Texas Ethics Commission include:

- Governor, Lieutenant Governor, Attorney General, Comptroller, Railroad Commissioner, Land Commissioner, Agriculture Commissioner, State Chair of political party
 - Texas Senate, Texas House of Representatives
 - Multi-county District Attorney
 - State Board of Education
 - Supreme Court Justice, Court of Appeals Justice, Court of Criminal Appeals Judge, and district judges
-

6. I am a “local” filer. Where do I file my forms?

Local candidates do not file with the Texas Ethics Commission. If you are a local candidate, you will file with your local filing authority.

The filing authority for a local candidate or officeholder depends on the nature of the office sought or held:

- County Clerk. The county clerk (or the county elections administrator or tax assessor, as applicable) is the appropriate filing authority for a candidate for:
 - a county office
 - a precinct office
 - a district office (except for multi-county district offices)
 - an office of a political subdivision other than a county if the political subdivision is within the boundaries of a single county and if the governing body of the political subdivision has not been formed.
 - Other local filing authority. If a candidate is seeking an office of a political subdivision other than a county, the appropriate filing authority is the *clerk or secretary of the governing body* of the political subdivision. If the political subdivision has no clerk or secretary, the appropriate filing authority is the governing body’s presiding officer.
-

7. I have never filed with the Ethics Commission. How do I get started?

To file with the Texas Ethics Commission, you need a Filer ID. This Filer ID is assigned to you by the Commission. The fastest way to get started is to fill out a [Campaign Treasurer Appointment – Form CTA](#) (judicial candidates need to use [Form JCTA](#)) and a [Form Security](#). Email your treasurer appointment to the Ethics Commission at treasappoint@ethics.state.tx.us and email your security form to the Ethics Commission at formsecurity@ethics.state.tx.us. Your new Filer ID and a link to set your password will be emailed to you. The Ethics Commission will mail to you via the United States Postal System pertinent information on reporting requirements, late-filing penalties, and online locations of the Commission’s forms, schedules, and guides.

8. What reports will I need to file?

Candidates will typically need to file a treasurer appointment and periodic campaign finance reports disclosing the candidate's activity. The specific forms required will depend on what office you are seeking. Other forms may be required in less common situations, such as filing a correction or amending a treasurer appointment. All potentially required forms and their companion instruction guides can be found on our [Forms/Instructions ▾ Candidates and Officeholders](#) tab located at the top of this page.

9. Do I have to file my reports electronically?

Filers who file with the Texas Ethics Commission are required to file campaign finance reports electronically. A filer must request an electronic filing password using a [Form Security](#) and email it to the Ethics Commission at formsecurity@ethics.state.tx.us to file the reports. An exception exists for filers who have limited activity and do not use computer equipment to keep track of their political activity. A filer claiming this exception must attach an [affidavit of exemption](#) to each report filed on paper. The appointment of a campaign treasurer form and any amendments to that form must still be filed on paper.

Filers who file with local authorities are not required to file electronically under state law. However, these filers should check with their local filing authority to determine whether that authority requires electronic filing.

10. How do I get my name on the ballot?

Contact the Secretary of State’s Elections Division or your local party for questions about the application for a place on the ballot.

11. Do I still have to file reports if I chose modified reporting on my treasurer appointment?

By selecting the modified reporting schedule you are indicating that you plan to stay under the \$930 threshold in both contributions or expenditures in connection with an election. The modified reporting schedule exempts you from filing 30-day and 8-day pre-election reports. If you have selected the modified reporting schedule, you must still report activity during the entire period you were a candidate, either on a semiannual report or on a final report. Please note that the payment of a filing fee is not considered when calculating whether a filer has exceeded \$930 in expenditures.

12. What happens if I select modified reporting and then exceed \$930?

If you select modified reporting and exceed \$930 (in either contributions or expenditures in connection with an election) before the 30-day pre-election report is due, you must file required 30-day and 8-day pre-election reports (keep in mind that unopposed candidates are not required to file these reports regardless of their level of activity). If you exceed a \$930 threshold after the 30-day pre-election report is due, you must file an “Exceeded Modified Reporting Limit report” within 48 hours of exceeding the threshold and, if the threshold is exceeded before the 8-day pre-election report is due, you must file the 8-day pre-election report.

13. When do I have to file my campaign finance reports?

Due dates for campaign finance reports can be found on the appropriate [filing schedule](#).

14. When do I have to file my report for it to be timely?

Most reports are considered timely filed if they are postmarked or electronically submitted by the due date. If filing electronically, a report must be filed by midnight Central time on the night of the due date to be considered timely filed. A 30-day, 8-day, or special pre-election report must be received by the filing authority no later than the due date to be considered timely filed.

15. I was a candidate in an election, and I lost. Do I need to file any further reports?

Losing an election does not end your filing responsibilities with the Texas Ethics Commission or with your local filing authority.

If your situation meets all of the following criteria, you may file a final report to terminate your treasurer and terminate future filing requirements:

- you do not currently hold an office, and
- you lost the election, and
- you have no remaining funds or assets in your campaign account

The final report will cover the period beginning where your last report ended and ending on the day the final report is filed.

Filing a final report terminates your campaign treasurer appointment and terminates your status as a “candidate” for filing purposes. Please remember that you may not accept campaign contributions or make campaign expenditures without having a campaign treasurer appointment on file.

If you do not file a final report after the election, you will be required to file semiannual reports until you file a final report. Officeholders who have filed a final report may still have additional filing requirements. See the relevant [campaign finance guide](#) for additional information.

16. How do I complete the campaign finance report?

Each form has a [companion instruction guide](#) that instructs you how to fill out the form line-by-line. Most questions about how to fill out the form can be answered by consulting these instructions. Other topics like reporting expenditures from personal funds, reporting staff reimbursements, and reporting credit card expenditures are explained more fully in the reporting resources found in the [Helpful Information section](#) on the Campaign Finance Resources page.

17. What kind of bank account should I open?

You must deposit your political contributions in a separate account from any other account you maintain. State law does not require this account to be a particular type of account (e.g., a business account), but bank policies may restrict the type of account you can use. Please consult your financial institution.

18. Do I need to get a tax identification number?

The laws under the jurisdiction of the Texas Ethics Commission do not require a candidate or political committee to obtain a Tax Identification Number. Please contact the Internal Revenue Service and the Texas Workforce Commission for further information.

19. How can I spend my campaign funds?

You may use your political funds to pay for most expenses you incur as a candidate or officeholder. The primary restriction in using campaign funds is that you cannot convert them to personal use. You can consult the commission's [preexisting opinions](#) about permissible and impermissible uses of political funds.

Additional restrictions exist for payments to close family members, payments to a business of the candidate, and payments from judicial candidates and officeholders to candidates or political committees. These restrictions are discussed in more detail in the [campaign finance guides](#).

20. I'm running for a city or county office. Do I need to file a personal financial statement?

A personal financial statement is a document disclosing a candidate or officer's personal financial activity over the period of a calendar year (in contrast to a campaign finance report, which discloses a campaign's financial activity).

Generally, the Texas Ethics Commission does not have jurisdiction to determine whether a candidate for local office is required to file a personal financial statement. However candidates for district attorney must file personal financial statements with the Commission. Other candidates should contact their local filing authority to determine whether they need to file a personal financial statement.

21. What has to be on my signs?

Most political advertising requires a political advertising disclosure statement and signs designed to be seen from a road must contain a highway right-of-way notice. Additionally, non-incumbent candidates must use the word "for" before the name of the office they are seeking. Please see the [Political Advertising Guide](#) for more specific information.

22. Where and when can I post my campaign signs?

The Texas Ethics Commission generally does not regulate the placement or removal of political signs. The Texas Ethics Commission primarily regulates the disclosure statements that must appear on political advertising signs. You may find this guide from TXDOT to be helpful: <http://ftp.dot.state.tx.us/pub/txdot-info/row/political-signs.pdf>.

Before distributing any political advertising, a candidate must have a treasurer appointment on file with the proper filing authority.

The answer to this question largely depends on where the signs are placed, and whether there are any local government restrictions set by the county, city, or HOA. Regarding signs placed on city-owned public property, you may wish to contact the city attorney to see if the city has any restrictions, such as a 90 day. Regarding signs placed on rural roads, those are regulated by Chapter 394 of the Texas Transportation Code and you may wish to contact TXDOT. <https://www.txdot.gov/inside-txdot/division/right-of-way/outdoor-signs.html>.

Also, note that Chapter 259 of the Election Code actually prohibits municipalities and HOAs from adopting and enforcing regulations, such as any 90 day restrictions, that prohibit the placement of certain political advertising signs within an HOA or on private property. <https://statutes.capitol.texas.gov/Docs/EL/htm/EL.259.htm>.

23. What are my contribution limits?

The state does not have contribution limits for most offices. Judicial candidates are subject to contribution limits, which are discussed further in the [Campaign Finance Guide for Judicial Candidates](#). Some political subdivisions do impose their own contribution limits, so a candidate should always check with the local authority to see if any relevant limits apply.

24. What are my restrictions on fundraising?

All candidates are prohibited from accepting contributions from a corporation or labor organization and from accepting a cash contribution exceeding \$100. Candidates are also prohibited from accepting anonymous contributions, so for this reason, fundraising strategies like contribution jars are discouraged. For more information about fundraising, see the [Political Fundraising Guide](#).

25. How do I correct a report?

A filer may correct a report filed with the Texas Ethics Commission or a local filing authority at any time. If you are required to file reports electronically with the Ethics Commission, then reports can be corrected through the software by selecting the option to "Correct a Filed Report." If you qualify to file reports on paper with the Ethics Commission, then you will need to submit a correction affidavit, an [affidavit for electronic filing exemption](#), and the pages of the report that are being corrected. If you are required to file reports with a local filing authority, you will need to submit a correction affidavit and the pages of the report that are being corrected. Depending on the type of report that is being corrected, you should use the appropriate correction affidavit form found at the [Forms/Instructions ▾ Candidate/Officeholders](#) tab at the top of this page.

26. Will the Ethics Commission make paper copies of electronically filed reports available?

Yes for a surcharge. Members of the public may make an [open records request](#) for specified copies of reports. There is a fee for copies.

27. May someone who files with a local filing authority file electronically?

Local filers may file electronically if your local authority has an electronic filing system for campaign finance reports. Check with your local authority to find out if electronic filing is an option. At this time, most local authorities *do not* offer electronic filing. There are, however, a few local filing authorities that offer, and in some instances even require, electronic filing. Local filers wanting to generate a pdf copy of their report, can also use the TEC filing application to generate the report. The report must still be filed with your local filing authority. See [Filing Reports ▾ Local Filers ▾ Campaign Finance Reports](#) tab found at the top of this page to generate your report using TEC filing application

IMPORTANT ADDRESSES

Texas Secretary of State – Elections Division

(512) 463-5650 or 1-800-252-VOTE (8683)

www.sos.state.tx.us

Mailing Address:

P.O. Box 12060 - Austin, Texas 78711-2060

Physical Address:

1019 Brazos - Austin, Texas 78701

Texas Ethics Commission – State Capitol

(512) 463-5800

www.ethics.state.tx.us

Mailing Address:

P.O. Box 12070 - Austin, TX 78711-2070

Physical Address:

201 E. 14 St - 10th Floor - Austin, Texas 78701

Federal Election Commission

1-800-424-9530

www.fec.gov

1050 First Street, NE. - Washington, D.C. 20463

Republican Party of Texas

(512) 477-9821

www.texasgop.org

Matt Rinaldi, Chair

211 E 7th St, Ste 915, Austin, Texas 78701

Texas Democratic Party

(512) 478-9800

www.texasdemocrats.org

Gilberto Hinojosa, Chair

314 E. Highland Mall Blvd., Suite 104, Austin, TX 78752

Libertarian Party of Texas

1-800-422-1776

www.leptexas.org

Whitney Bilyeu, Chair

100 Congress Ave., Ste. 2000, Austin, TX 78701

Green Party of Texas

(210) 471-1791

www.txgreens.org

Alfred Molison, Co-Chair / Laura Palmer, Co-Chair

P.O. Box 271080 - Houston, TX 77277-1080

OTHER HELPFUL RESOURCES

VOTETEXAS.GOV

www.votetexas.gov

TEXAS CONSTITUTION, STATUTES & ELECTION CODES

www.statutes.capitol.texas.gov

TEXAS LEGISLATURE ONLINE

www.capitol.texas.gov

TEXAS ADMINISTRATIVE CODE – ELECTIONS

[https://texreg.sos.state.tx.us/public/readtac\\$ext.viewtac?tac_view=4&ti=1&pt=4&ch=81](https://texreg.sos.state.tx.us/public/readtac$ext.viewtac?tac_view=4&ti=1&pt=4&ch=81)

**REFER TO SOS WEBSITE OR CALL 1-800-252-VOTE
FOR ADDITIONAL VOTER AND ELECTION RESOURCES**

VISIT THE SOS WEBSITE FOR INFORMATION ON THE FOLLOWING:

- **OTHER FILING OPTIONS:**
 - **LIBERTARIAN OR GREEN PARTY**
 - **INDEPENDENT CANDIDATE**
 - **WRITE-IN CANDIDATE**
- **PETITION IN LIEU OF FILING FEE INFORMATION**
- **WITHDRAWALS**
- **CANDIDATE FORMS**

Refugio County

ELECTIONS ADMINISTRATION

VOTER REGISTRATION

Rachael B. Garcia

Refugio County Elections Administrator

Catherine Fuller

Assistant Elections Administrator

**P.O. BOX 452 – 414 C North Alamo St.
Refugio, Texas 78377**

OFFICE: (361) 526-2151 • FAX: (361) 526-2102

EMAIL: rachael.garcia@co.refugio.tx.us

(Office Hours May Vary During Election Cycles)

**A DROP BOX IS NOW AVAILABLE IN THE FRONT (OUTSIDE) OF THE ELECTIONS OFFICE
FOR CANDIDATE & VOTER REGISTRATION FILINGS**

WEBSITE

www.co.refugio.tx.us

Click on Elections Administration



**Visit the Refugio County Elections Administration Website and
Facebook Page for Local Up-To-Date Information and Reminders**

VOTER REGISTRATION/ELECTION RECORDS PUBLIC INFORMATION REQUEST

All Request Must Be Submitted In Writing

You may now request voter registration list in person or by email.

(This includes list of registered voters & voting history list)

METHOD	LETTER SIZE 8.5 X 11	LEGAL SIZE 8.5 X 14	OTHER 11 X 17	HOW TO OBTAIN
	COST PER PAGE			
Hard Copy	.10	.25	.50	Complete A Voter Registration/Election Records Public Information Request Form At The Elections Administration Office
	For Colored Copies Add .05/Per Page			
Electronic Format	No Cost To Email			Request Must Be Specific And Detailed Chose Format (Pdf, Excel Or Csv)
	There May Be A Fee For List That Are Not Commonly Generated			In Order To Receive A Daily List, A Request Must Be Received Daily (Ex. Early Voting Voters Voted)
	Note: Some Voter Information/Election Records May Not Be Submitted Via Electronic Format			

*The Information Requested Will Be Furnished Not Later Than The 15th
Day After The Date The Request Is Received.
(Texas Election Code, Section 18.066)*



**ELECTION INFORMATION & TURNOUT DATA
ARE NOW UPDATED DAILY AND AVAILABLE ONLINE AT:**
<http://www.co.refugio.tx.us/page/refugio.Elections>

OR

[https://earlyvoting.texas-
election.com/Elections/getElectionDetails.do](https://earlyvoting.texas-election.com/Elections/getElectionDetails.do)

POPULAR REQUEST AND DATA INCLUDE:

List of Registered Voters

- County/Precinct/City/School

Voting History

- Daily List of Voters Voted (In Person/By Mail)
- Voters Voted (Democratic Party/Republican Party/General)
- Current/Past Elections

Maps (County/Precinct/City/School)

WHEN CAN I GET THE RECORDS

PUBLIC INFORMATION REQUEST SCHEDULE	
FORM	AVAILABLE TO PUBLIC
Application for Ballot by Mail	1st Business Day After Election
Annual Application for Ballot by Mail	1st Business Day After Voter Was Mailed A Ballot For The Earliest Election Submitted
List of Early Voting in Person and Election Day	By 11:00 A.M. The Next Day After Voter Voted
List of Absentee Ballots By Mail - Ballot Received	By 11:00 A.M. The Next Day After Ballot Was Received
List of Absentee Ballots By Mail - Ballot Mailed	1st Business Day After Election

NOTICE OF OFFENSE OF ILLEGAL USE OF LIST OF REGISTERED VOTERS

The Information Obtained From The Copy Of The County Voter File Shall Not Be Used In Connection With Advertising Or Promoting Commercial Products Or Services, An Offense Under Section 18.009 V.T.C.A., Election Code Is A Class A Misdemeanor.

THINGS TO KNOW

WHERE DO I FILE MY PAPERWORK			
OFFICE	EA	PARTY CHAIR	COUNTY JUDGE
APPOINTMENT OF CAMPAIGN TREASURER	√		
FINANCE REPORTS	√		
APPLICATION FOR A PLACE ON THE BALLOT			
PRIMARY		√	
PETITION IN LIEU OF A FILING FEE			
PRIMARY		√	
GENERAL			√
WRITE-IN			
GENERAL			√
A Person Who Was A Candidate For Office In The Primary Election Is Ineligible For A Place On The List Of Write-In Candidates For That Same Office In The Succeeding General Election For State And County Officers. Section 162.015, Texas Election Code.			
INDEPENDENT			√
<p>You May Have Your Name Placed On The General Election Ballot As An Independent Candidate If You Are Not Affiliated With A Political Party. Section 1.005(9) Texas Election Code.</p> <p>If You Vote In A Party'S Primary Elections Or Participate In A Party'S Conventions, You Thereby Affiliate With The Party. Sections 142.008, 162.003, 162.007, Texas Election Code.</p>			

INFORMATION IS SUBJECT TO CHANGE AS A RESULT OF THE 2021 LEGISLATIVE SESSION.

THE FOLLOWING SERVES AS A GUIDE TO THE MOST COMMON QUESTIONS AND IMPORTANT INFORMATION TO HELP YOU DURING YOUR CAMPAIGN.

THINGS TO KNOW

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THINGS TO KNOW

POLITICAL ADVERTISING

Refer All Campaign Questions To The Texas Ethics Commission Or Texas Secretary Of State Office.

The Refugio County Elections Administration Office Is Not The Monitoring Authority For Candidate Signs, Sign Placements Nor The Accuracy Of The Language On The Signs.

ACTIVITIES IN VICINITY OF THE POLLING PLACE

BYSTANDER

A Person May Not Be In The Polling Place During Early Voting/Election Day Hours From The Time The Election Judge Arrives Until Polls Have Closed.

Exception: Candidates (If Voting Or Conducting Official Business Within The Building, And Not Within View/Hearing Of Voters And Not Engaged In Campaign Activity). It Is A Class C Misdemeanor.

ELECTIONEERING IN THE POLLING PLACE

No Advocating For Or Against A Candidate, Measure, Party Or Issue Within The Protective Legal Boundary Surrounding A Polling Place. Includes Posting, Use Or Distribution Of Political Signs Or Literature. It Is A Class C Misdemeanor.

Any Comments Or Actions Related To Such, Will Be Stopped Immediately Or Removed.

(Includes Political Signs, Shirts, Buttons, Pens, Vehicles Within 100 Feet Of Polling Place With A Car Decal/Sign)

100 FT WITHIN THE POLLING PLACE

Electioneering Is Not Allowed Within 100 Feet Of The Early Voting/Election Day Polling Place.

(Includes Vehicles Within 100 Feet Of Polling Place With A Car Decal Or Sign)

Electioneering Is Allowed Outside The 100 Foot Distance Marker.

SOUND DEVICES WITHIN 1000 FT OF THE POLLING PLACE

A Person May Not Use A Sound Amplification Device With 1000 Feet Of The Polling Place To Make A Political Speech Or Electioneer.

WRITTEN MATERIALS

Voters Are Permitted To Bring Written Materials As A Guide To Help Them Vote In The Polling Place As Long As The Material Is Not Shared Or Left Behind. Any Material Left Behind Will Be Disposed Of.

(Includes Newspaper Clipping, Marked Sample Ballot Or Any Other Guide To Help The Voter)

WIRELESS/RECORDING DEVICES

Wireless/Recording Devices May Not Be Used Within 100 Feet Within The Polling Place.

Includes Cell Phones, Cameras, Tablets, Etc. That Can Communicate Wirelessly Or Take Pictures.

Please Refrain From Talking On The Telephone Or Conversing With Other Voters Directly Outside The Polling Place Or Within The 100 Foot Distance Markers.

Exception: Election Workers Conducting Official Duties For The Conduct Of The Election.

THINGS TO KNOW

PARTY AFFILIATION

In The State Of Texas, A Voter Does Not Affiliate Or Register Him/Herself With A Certain Party.

The Voter Is Only Affiliated With A Party By Voting In A Party'S Primary Of That Primary Year.

Example: If A Voter Votes In A Democratic Primary, The Voter Is Affiliated For The Rest Of That Year With The Democratic Party. The Voter May Change Parties And Vote Republican In The Next Primary If The Voter Chooses To Do So.

It Means The Voter May Not Vote In Another Party'S Primary, Participate In Another Party'S Convention, Or Sign An Independent Candidates Petition If Independent Candidate Position Appears On The Primary Ballot.

Note: In The General Election In November, All Candidates Will Appear On One Ballot And The Voter May Vote For Any Candidate/Party The Voter Wishes.

SAMPLE BALLOTS

Sample Ballots Are Posted In Each Polling Place And On The Refugio County Elections Administration Office Website.

Voters And Candidates May Pick Up A Sample Ballot In The Refugio County Elections Administration Office.

Sample Ballots Can Be Pre-Marked And Copied For Distribution By Candidates And Voters.

Copies Of The Sample Ballots May Not Be The Same Color (Yellow) As The Original Sample Ballots.

WHERE DO I GO TO SEE IF I'M REGISTERED TO VOTE

Contact The Refugio County Elections Administration Office.

Visit Texas Secretary Of State Website > Elections > Am I Registered To Vote?

HOW DO I MAKE A VOTER REGISTRATION CHANGE (ADDRESS CHANGE/NAME CHANGE)

WITHIN THE COUNTY

Correct Your Current Voter Registration Certificate On The Back And Return It To The Refugio County Elections Administration Office.

Fill Out A New Voter Registration Application Form And Check The "Change" Box.

When You Apply For Or Change Your Texas Driver'S License, You Can Change Your Voter Information At The Same Time.

As Long As You Reside In The Same County, You Can Change Your Information Online At The Secretary Of State'S Voter Registration Name/Address Change Website.

Visit Sos Website > Elections > Am I Registered To Vote? > Change Your Address

MOVED OUT OF COUNTY

If You Moved To Another County, You Must Re-Register!

Fill Out And Mail A New Application, Or Take It In Person, To The Voter Registrar Of Your New County.

THINGS TO KNOW

WHEN CAN I VOTE

EARLY VOTING - IN PERSON

Texas Enables Residents To Vote In The Days And Weeks Before An Election To Make The Voting Process More Convenient And Accessible By Showing Up In Person During The Prescribed Early Voting Period.

All Early Voting Is Conducted At The Refugio County Elections Administration Office For All County/Political Subdivision Elections.

Hours Of Early Voting Will Vary Depending On Type Of Election.

EARLY VOTING - BY MAIL

Voters May Contact The Refugio County Elections Administration Office, Download An Application For Ballot By Mail/FPCA Form From The Texas Secretary Of State Website.

YOU MAY VOTE EARLY BY MAIL IF:

- Will Be Away From Your County On Election Day And During Early Voting
- Are Sick Or Disabled
- Are 65 Years Of Age Or Older On Election Day
- Expected To Give Birth Within Three Weeks Before Or After Election Day
- Are Confined In Jail, But Eligible To Vote

The First Day To Apply For A Ballot By Mail Begins January 1St Of Every Year

Voters Must Call And Request An Application For Ballot By Mail For Every Election In Order To Receive A Ballot.

ANNUAL APPLICATION FOR BALLOT BY MAIL

- Over 65 Years Of Age Or Older
- Disability

The First Day To Apply For A Ballot By Mail Begins January 1St Of Every Year.

The Voter Will Only Need To Request Once A Year.

The Voter Will Automatically Receive A Ballot For Each Election The Voter Qualifies To Vote In.

FEDERAL POST CARD REGISTRATION AND ABSENTEE BALLOT REQUEST (FPCA)

- To Temporarily Register And Request Early Voting Ballots For:
 - Member Of Armed Forces, Their Spouses And Dependents
 - Members Of Merchant Marines, Their Spouses And Dependents
 - United States Citizens Domiciled In Texas But Temporarily Living Outside Of The U.S.
 - United States Citizens Dwelling Outside The U.S.

ELECTION DAY

Voters Can Vote From 7:00 A.M. Until 7:00 P.M. On Election Day At Their Polling Location/Precinct Assigned.

In Some Cases, Polling Places/Precincts May Be Combined/Consolidated.

To Find Your Polling Place/Precinct

- It Is Printed On The Right Side Of Your Voter Registration Card
- Contact the Refugio County Elections Administration Office
- Visit the Texas Secretary Of State Website > Elections > Am I Registered To Vote?

THINGS TO KNOW

WHAT IDENTIFICATION DO I NEED TO VOTE

VOTER ID

Voters Must Present An Acceptable, Valid Form Of Photo Id As Prescribed By Texas Secretary Of State Office. If The Voter Cannot Reasonably Obtain One Of The Acceptable Forms Of Photo ID As Required, The Voter Can Present An Alternate Supporting Form Of ID As Prescribed By The Texas Secretary Of State Office And Complete A Reasonable Impediment Declaration Form And Indicate The reason.

If The Voter Posses A Valid Form Of Photo Id, Such As A Drivers License, But Forgets It At Home, It Does Not Qualify For The Alternate Supporting Document /Reasonable Impediment Declaration Form.

In That Case, The Voter May Leave The Polling Place And Return With The Valid Photo Id Or Vote A Provisional Ballot And Bring Acceptable Form Of Photo Id To The Refugio County Elections Administration Office Within 6 Days To Cure Ballot.

Failure To Do So Will Result In Their Ballot Being Rejected.

The Address On The Voters Id, Such As A Drivers License, Does Not Need To Match Their Voter Registration Address.

VOTER REGISTRATION CARD

A Voter Does Not Have To Provide Their Voter Registration Card To Vote.

Only a valid form of ID is required as prescribed.

DIFFERENT TYPES OF VOTERS

SUSPENSE "S" VOTERS

The Voter Registrar Has Received Information Which Indicates That Voter May Have Moved.

The Voter Will Need To Update Their New Address Or Verify Existing Address Within The County/Political Subdivision.

Voter Must Completed A Statement Of Residence Card Before Being Allowed To Vote.

PROVISIONAL VOTERS

No Voter Will Be Denied The Opportunity To Vote. If The Voter Does Not Meet The Standard Qualifications To Vote, The Voter Will Have The Option To Vote A Provisional Ballot.

Reasons That A Voter May Vote A Provisional Ballot:

A Voter Who Does Not Possess Proper Form Of Acceptable Id Or Supporting Identification

Does Not Have Acceptable Photo Id With Them (There Is A Cure Period To Present Id To Be Accepted For Voting)

Does Not Have Due To Religious Objection To Being Photographed

Due To Natural Disaster Declared By Governor/President

Disability Exemption But Does Not Have Registration Certificate With (E)

THINGS TO KNOW

DIFFERENT TYPES OF VOTERS (CONTINUED)

PROVISIONAL VOTERS (CONTINUED)

Id Cannot Be Verified By Photo Id Presented By Voter
Is Not On The List Of Registered Voters
Registered In Another Precinct/Wrong Precinct
Voter Voted By Mail And Has Not Cancelled Mail Ballot Application
Votes After 7:00 P.M. Due To Court Order Extending Hours
On List Of Registered Voters But Residence Address Is Outside County/Political Subdivision
Voter No Longer Lives In County/Political Subdivision

Each Provisional Ballot That Was Cast Will Then Be Researched By The Elections Administrator/Voter Registrar And The Early Voting Ballot Board Will Determine Whether The Ballot Is Counted Or Rejected.

LIMITED BALLOT

If A Voter Has Moved To This County From Another County And Has Not Registered Yet, A Voter May Vote A Limited Ballot If The Voter Was Registered In Old County.

This May Only Be Done During The Early Voting Period. Cannot Be Done On Election Day.

This Will Allow The Voter To Only Vote For Candidates Or Issues That Are In Common Between Your Old County And Your New County.

PRESIDENTIAL

Former Residents Of Texas Who Have Recently Moved To Another State But Did Not Register In Time To Vote In The New State May Vote A Presidential Ballot For President/Vice-President Under Certain Circumstances At The Elections Administration Office.

CURBSIDE VOTERS

A Voter Who Is Unable To Enter A Polling Place With Assistance Or Likelihood Of Injury Is Allowed To Vote Curbside.

Curbside Is Available During Early Voting And On Election Day.

The Voter May Want To Call Ahead So That The Election Workers Can Prepare And Be Readily Available To Go Outside When The Voter Arrives.

VOTING ORDER PRIORITY VOTER

An Election Officer May Give Voting Order Priority To Individuals With A Mobility Problem That Substantially Impairs The Person'S Ability To Move Around.

Disabilities And Conditions That May Qualify 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.

THINGS TO KNOW

VOTER ASSISTANT/INTERPRETER

IN THE POLLING PLACE

A Voter Who Is Physically Unable To Mark Ballot, Cannot Read The Ballot Due To Visual Or Other Impairment Qualifies To Have A Voter Assistant/Interpreter.

An Assistant Can Be Any Person The Voter Chooses, Except: Employer, Agent Of Their Employer, Officer Or Agent Of Voters Union.

A Candidate May Assist.

Election Workers May Assist.

An Assistant Must Not Mark The Ballot In Any Way Other Than What The Voter Has Indicated. It Is A Class A Misdemeanor.

APPLICATION FOR BALLOT BY MAIL (ABBM)

WITNESS

You Can Qualify To Be A Witness If The Voter Is Unable To Sign Name/Mark Name Only/Unable To Mark Name.

Witness May Only Witness No More Than One (Which Is Only One) Application For Ballot By Mail. It Is A Class B Misdemeanor.

Unless Relative Is A Parent, Grandparent, Spouse Or Child/Sibling.

See Instructions For More Information.

ASSISTANT

An Assistant Is Someone Who Helped Fill Out Or Mail/Fax/Email The Application For Ballot By Mail For The Voter.

An Assistant May Assist As Many Voters As Needed.

See Instructions For More Information.

BALLOT BY MAIL (YELLOW CARRIER ENVELOPE)

WITNESS

You Can Qualify To Be A Witness If Voter Is Unable To Sign Name/Mark Name Only/Unable To Mark Name.

There Is No Limit On How Many Can Be Witnessed.

See Instructions For More Information.

ASSISTANT

An Assistant Is Someone Who Helped Fill Out Or Mail The Ballot For The Voter.

Assistant May Assist As Many Voters As Needed.

See Instructions For More Information.

THINGS TO KNOW

REQUESTING APPLICATIONS FOR BALLOT BY MAIL (ABBM)

VOTER

Contact The Refugio County Elections Administration Office To Have An ABBM Mailed To You.

ABBM Will Be Completed For The Voter With The Accurate Information.

The Voter Will Only Need To Complete Highlighted Areas, Sign And Return.

Download The ABBM From The Texas Secretary Of State Office Or The Refugio County Elections Administration Website.

CANDIDATE

Upon Request, The Refugio County Elections Administration Office Will Only Supply (5) Blank ABBM Cards To Each Candidate.

You May Be Able To Receive Additional Blank ABBM Cards By Contacting The Texas Secretary Of State Office.

ABBM Are Available in Both English and Spanish.

We Recommend That Voters Call Us Directly To Request That A Completed ABBM Be Mailed To The Voter.

This Eliminates The Common Errors Such As Incorrect Full Name Of Voter, The Physical/Mailing Address Not Matching The Voter Registration Records, The Primary Party Choice Being Left Blank And Duplicates From Being Received.

Allows Us To Communicate Better With The Voter As The Deadline To Receive It Nears.

We CANNOT Release Voter Information To A Candidate On Whether An ABBM Was Mailed To Or Received By A Voter.

Only A Voter May Call Themselves To Verify Their Own ABBM Status.

REQUESTING VOTER REGISTRATION APPLICATIONS

We Will Only Supply A Candidate, Upon Request, With (10) Blank Voter Registration Cards. We Have Both English And Spanish Available.

Voter Registration Cards Are Available in Both English and Spanish.

We Advise That A Candidate Should Only Be Handing Voter Registration Cards To A Voter To Fill Out And Should Not Complete, Accept Or Mail The Voter Registration Application For The Voter.

If Desired To Do So, We Recommend Becoming A Volunteer Deputy Registrar.

PEACE OFFICER IN THE POLLING PLACE

Only The Election Judge May Summon A Peace Officer In A Polling Place To Preserve Order During Early Voting And Election Day.

The Voter Should Contact The Refugio County Elections Administration Office Directly If There Is Reason To Believe There May Be An Issue.

THINGS TO KNOW

DAILY ROSTER - VOTING HISTORY

Voters That Voted Early In Person, By Mail And On Election Day Is Available For Public Viewing.

EARLY VOTING

A Roster Of Voters That Voted Each Day Of Early Voting Will Be Posted In The Refugio County Elections Administration Office And Website For Public Viewing By 11:00 A.M. The Next Day And Available On The Texas Secretary Of State Office Website.

ELECTION DAY

The Roster Will Be Available On The Refugio County Elections Administration Office And Website And On The Texas Secretary Of State Office Website For Public Viewing By 11:00 A.M. The Next Day.

ELECTION NIGHT

POLLS CLOSE

Polls Close At 7:00 P.M. On Election Day.

All Voters That Were In Line By 7:00 P.M. Will Be Allowed To Vote.

POST ELECTION

All Results Are Unofficial Results Until The Official Results Have Been Canvassed.

It Is Possible That The Unofficial Results May Change Due To Provisional Ballots Cast/Late Ballots Received That Were Post Marked By 7:00 P.M. On Election Day/FPCA And Overseas Ballots Received By The Deadline After Election.

HOW MANY VOTES DOES IT TAKE TO WIN OFFICE

PRIMARY

MAJORITY VOTE

A Candidate Must Receive More Than 50% Of The Total Vote

PRIMARY RUNOFF

REQUIRED IF

No Candidate Received The Vote Necessary To Be Elected In An Election Requiring A Majority Vote

GENERAL

PLURALITY

A Candidate Must Receive More Votes Than Any Other Candidate For The Office

THINGS TO KNOW

RELEASING ELECTION RESULTS

EARLY VOTING

Early Voting Results Will Be Released At 7:00 P.M. On Election Day.

Note: We Do Not Know The Results Of Early Voting At Any Time During Early Voting Or When The Polls Close For Early Voting.

The Refugio County Elections Administration Office Tabulates The Results On Election Day.

ELECTION DAY

Election Day Results Will Be Posted Throughout The Night As Precincts/Polling Places Arrive And Are Accepted And Processed.

TOTAL

The Total Results For The Election Will Be Complete At The End Of The Night After All Precincts/Polling Locations Have Been Processed.

All Results Are Unofficial Results Until The Official Results Have Been Canvassed.

It Is Possible That The Unofficial Results May Change Due To Provisional Ballots Cast/Late Ballots Received That Were Post Marked By 7:00 P.M. On Election Day/Fpca And Overseas Ballots Received By The Deadline After Election).

SOCIAL MEDIA

All Results Will Be Posted Beginning At 7:00 P.M. And Throughout The Evening And At The End Of The Night:

The Refugio County Elections Administration Office Website

The Refugio County Elections Administration Office Facebook Page

The Texas Secretary Of State Office Website

CALLING THE EA OFFICE

You May Also Call The Refugio County Elections Administration Office For Results.

Phone Lines Will Be Available Until We Have Completed All Of Our Duties For Election Night.

Calls Will Not Be Accepted By The Elections Administrator Once Tabulation Begins And Until All Results Have Been Completed.

Please Address Any Issues, Complaints Or Concerns, That Can Wait, After Election Day .

THE REFUGIO COUNTY ELECTIONS ADMINISTRATION OFFICE IS A NON-PARTISAN OFFICE.

ANY INFORMATION RECEIVED FROM OUR OFFICE IS THE SAME AND EQUAL INFORMATION PROVIDED TO ALL CANDIDATES AND VOTERS.

OUR GOAL IS TO PROVIDE EVERY VOTER THE OPPORTUNITY TO VOTE, TO EASE VOTER DOUBT IN THE CONDUCT OF OUR ELECTION PROCESS AND TO GAIN VOTER CONFIDENCE THAT EACH VOTER IS RECEIVING A SECURE AND PRIVATE VOTE.

THINGS TO KNOW

IF YOU HAVE QUESTIONS RELATED TO THE CONDUCT OF OUR ELECTIONS, PLEASE CALL THE REFUGIO COUNTY ELECTIONS ADMINISTRATION OFFICE DIRECTLY.

IT IS BEST TO RECEIVE INFORMATION DIRECTLY FROM OUR OFFICE, AS OUTSIDE RESOURCES MAY BE INACCURATE OR MISUNDERSTOOD.

YOU MAY ALSO CONTACT THE TEXAS SECRETARY OF STATE OFFICE.



2020 Texas Election Security Update

Election security is a top priority for the Texas Secretary of State's office as we continue to employ effective and forward-thinking cybersecurity measures to further strengthen our state's elections systems and safeguard our elections infrastructure against any malicious cyber activity. As always, our Elections and Information Technology officials are working tirelessly to ensure that every eligible Texas voter can cast a ballot with confidence.



Election Security in Past Elections

- There is no evidence that any voting or voter registration systems in Texas were compromised before the 2016 Election or in any subsequent elections.
- The [Department of Homeland Security has offered a statement](#) reiterating this fact as well.

Legislative Efforts to prioritize Election Security

- Texas' Director of Elections, Keith Ingram, testified on Texas' election security during a Texas Senate Select Committee on Election Security hearing on February 22, 2018. [Watch the video here](#) to learn more details about our office's work to enhance the security of Texas' election infrastructure.
- On November 30, 2018, the Texas Secretary of State's office submitted a Report to the Texas Legislature on Election Cybersecurity Preparedness. [Read the public summary report here \(PDF\)](#).
- [HB 1421](#) (86th Legislative Session) added Chapter 279 "Cybersecurity of Elections Systems" to the Texas Election Code. This legislation implemented many of the recommendations in the SOS report Election Cybersecurity Preparedness. This new chapter has resulted in the following:
 - Secretary of State has issued an [Election Security Best Practices Guide \(PDF\)](#), which defines classes of protected election data and identifies best practices related to the security of election systems.
 - All individuals that access our Statewide Voter Registration and Election Management System are required to complete annual security training to maintain access to the system.
 - Any breach of cybersecurity that impacts election data is to be reported to the Secretary of State and to the standing committee of each house of the legislature with jurisdiction over elections.
 - All County Election Offices are required to undergo an Election Security Assessment (ESA).
- [HB 4130](#) (86th Legislative Session) requires the Secretary of State to create a [certification program](#) related to electronic pollbooks. This allowed the Secretary of State to prescribe standards regarding functionality and security of epollbooks.

Working with Federal and Local Partners

- The SOS along with our county election officials have participated in numerous tabletop exercises on election security provided by the Department of Homeland Security.
- The SOS has provided on-going training opportunities for county election officials at our annual seminars, and on an individual basis, as needed, to county election officials.
- Most Texas counties participate in the [Elections Infrastructure Information Sharing and Analysis Center](#) (EI-ISAC) to ensure that the elections community is effectively sharing relevant information with respect to safeguarding our elections and being aware of potential cyber threats.

Current Safeguards in Texas Law

- No voting system is ever connected to the internet at any point - either when votes are being cast or when they are being counted. ([Section 129.054](#) Texas Election Code)
- Only software certified by the Texas Secretary of State can be loaded on a computer used for counting or accumulating vote totals. ([Section 129.055](#), Texas Election Code)
- Before and after use each day, all voting systems are sealed with locks and with seals with unique serial numbers, and all election workers must follow proper chain of custody procedures during the election, including a careful tracking of the serial numbers used to seal the machines at the end of each period of voting. (Secs. [129.051](#), [129.053](#), Texas Election Code)
- While voting is occurring, election judges are required to periodically inspect the equipment to ensure there is no tampering or damage to the equipment ([Section 125.005](#), Texas Election Code).
- All voting systems are tested three times, twice before the machines are used in the election and once immediately after. The tests consist of a deck of ballots being voted on the machines and then tabulated to ensure that the machine results are correct and match the test stack of ballots. The machines cannot be used or deployed until the test is 100% successful. Note that one of the tests conducted before the machines are used in an election is open to the public, and notice of this test is published in a local paper. Each political party has the right to submit names of individuals to represent that party on the testing board and thus every county usually has a testing board that consists of at least one person from each political party. ([Sec. 129.023](#) and [Subchapter D, Chapter 127](#), Texas Election Code).
- The election worker at the polling place (both during early voting and election day) must confirm that there are zero votes cast at the opening of voting and at the end of voting they must compare the number of ballots cast to the number of voters that have checked-in on the poll list. ([Advisory 2014-06](#), [127.068](#), Texas Election Code)
- Background checks are required for all personnel that prepare, test or service all voting system equipment. ([Sec. 129.051](#), Texas Election Code)
- Poll watchers are allowed to observe at all early voting and Election Day polling locations and at the central counting or accumulation station where ballots are being counted or vote totals accumulated. ([Chapter 33](#), Texas Election Code)
- A post-election audit (partial manual count) is required for all elections that have paper ballots. ([Sec. 127.201](#), Texas Election Code).
- The Secretary of State has the authority to conduct a manual or electronic recount of any election using electronic voting systems ([Sec. 127.202](#), Texas Election Code).

- These safeguards are outlined in [Section 9 of Advisory 2019-23 Electronic Voting System Procedures Advisory](#)

Protecting Election Infrastructure

- The Texas Secretary of State's office has also taken the following steps to further strengthen election infrastructure security in the State of Texas:
- Established effective communication protocols with the Department of Homeland Security (DHS), the Federal Bureau of Investigations (FBI), the Department of Public Safety (DPS), and the Department of Information Resources (DIR) to coordinate cybersecurity monitoring and response.
- Engaged in a pilot program with DHS and the Multi-State Information Sharing & Analysis Center (MS-ISAC), which helped develop and improve information sharing protocols between the federal government and the states in the realm of election security.
- Instituted multi-factor authentication for election officials to ensure that only those who are authorized to do so can gain access to the statewide voter registration database.
- Installed an active Albert sensor on our voter registration database that alerts our agency when any suspicious cyber-activity occurs.
- Submitted Texas' [proposal to the U.S. Election Assistance Commission \(EAC\) \(PDF\)](#) for implementing new cybersecurity and election security measures – both at the state and local levels – using funds from the 2018 HAVA disbursement to states for election security.
- Informed and encouraged Texas counties to take advantage of free cybersecurity services and physical security assessments available from DHS, MS-ISAC, and EI-ISAC.
- Removed legal roadblocks that prevented counties from upgrading to newer, more secure systems.

Misinformation in Elections

- If voters or election officials come across information related to voting that is inaccurate, misleading or incorrect, please report that to the [Secretary of State](#) as we have established communication lines with various social media organizations and law enforcement agencies that can assist in removing incorrect information regarding elections.

Below are the full texts of selected Texas Election Code provisions that relate to election security:

Sec. 279.001. Definitions.

1. "County election officer" means an individual employed by a county as an elections administrator, voter registrar, county clerk, or other officer with responsibilities relating to the administration of elections.
2. "Election data" means information that is created or managed in the operation of an election system.
3. "Election system" means a voting system and the technology used to support the conduct of an election, including the election data processed or produced in the course of conducting an election, such as voter registration information, ballot information, collected and tabulated votes, election management processes and procedures, and other election-related documents and election data.

Sec. 279.002. Election Cybersecurity: Secretary of State.

- a. The secretary of state shall adopt rules defining classes of protected election data and establishing best practices for identifying and reducing risk to the electronic use, storage, and transmission of election data and the security of election systems.
- b. The secretary of state shall offer training on best practices:
 - 1. on an annual basis, to all appropriate personnel in the secretary of state's office; and
 - 2. on request, to county election officers in this state.
- c. If the secretary of state becomes aware of a breach of cybersecurity that impacts election data, the secretary shall immediately notify the members of the standing committees of each house of the legislature with jurisdiction over elections.

Sec. 279.003. Election Cybersecurity: County Election Officers.

- a. A county election officer shall annually request training on cybersecurity from the secretary of state. The secretary of state shall pay the costs associated with the training with available state funds.
- b. A county election officer shall request an assessment of the cybersecurity of the county's election system from a provider of cybersecurity assessments if the secretary of state recommends an assessment and the necessary funds are available.
- c. If a county election officer becomes aware of a breach of cybersecurity that impacts election data, the officer shall immediately notify the secretary of state.
- d. To the extent that state funds are available for the purpose, a county election officer shall implement cybersecurity measures to ensure that all devices with access to election data comply to the highest extent possible with rules adopted by the secretary of state under Section 279.002.

Pre-Election Security Procedures: [Subchapter C, Chapter 129](#) outlines our general voting system security procedures.

Sec. 129.051. Pre-election security procedure.

- a. The general custodian of election records shall create and maintain an inventory of all electronic information storage media.
- b. The general custodian of election records shall develop a procedure for tracking the custody of each electronic information storage medium from its storage location, through election coding and the election process, to its final post-election disposition and return to storage. The chain of custody must require two or more individuals to perform a check and verification check whenever a transfer of custody occurs.
- c. The general custodian of election records shall establish a secured location for storing electronic information storage media when not in use, coding a medium for an election, transferring and installing the medium into voting system equipment, and storing voting system equipment after election parameters are loaded.
- d. An election information storage medium shall be kept in the presence of an election official or in a secured location once the medium has been coded for an election.
- e. The general custodian of election records shall create a procedure for tracking the custody of voting system equipment once election parameters are loaded.

- f. The general custodian of election records shall create a recovery plan to be followed if a breach in security procedures is indicated. This plan must include immediately notifying the secretary of state.
- g. The general custodian of election records shall conduct a criminal background check for relevant election officials, staff, and temporary workers upon hiring.

Sec. 129.052. Transport of voting system equipment.

- a. The general custodian of election records shall adopt procedures for securely storing and transporting voting system equipment. The procedures shall include provisions for locations outside the direct control of the general custodian of election records, including overnight storage at a polling location. Procedures relating to the chain of custody must require two or more individuals to perform a check and verification check whenever a transfer of custody occurs.
- b. The general custodian of election records shall create a recovery plan to be followed if a breach in security procedures is indicated. This plan must include immediately notifying the secretary of state.
- c. The general custodian of election records shall provide a training plan for relevant election officials, staff, and temporary workers that addresses the procedures authorized under this section.

Sec. 129.053. Access to voting system equipment.

The general custodian of election records shall secure access control keys or passwords to voting system equipment. Use of access control keys or passwords must be witnessed by one or more individuals authorized to use that information. The use of an access control key or password must be documented and witnessed in a log dedicated for that purpose that is retained until the political subdivision disposes of the equipment.

Sec. 129.054. Network connections and wireless technology.

- a. A voting system may not be connected to any external communications network, including the Internet.
- b. A voting system may not have the capability of permitting wireless communication unless the system uses line-of-sight infrared technology that shields the transmitter and receiver from external infrared transmissions and the system can only accept transmissions generated by the system.

Sec. 129.055. Equipment and software.

The sole purpose of voting system equipment is the conduct of an election, and only software certified by the secretary of state and necessary for an election may be loaded on the equipment.

Sec. 129.056. Plan for machine failure.

The general custodian of election records shall create a contingency plan for addressing direct recording electronic voting machine failure. This plan must include the timely notification of the secretary of state.

Sec. 129.057. Use of machine in early voting.

A direct recording electronic voting machine deployed for early voting may not be deployed on Election Day.

In the polling place: [Chapter 125](#) of the Texas Election Code provides procedures on inspecting equipment at the polling place before the polls open, during the course of the election, and after the polls close.

Sec. 125.005. Maintaining security of equipment during voting.

- a. The presiding judge shall periodically have an election officer inspect the voting system equipment for tampering and damage while voting is in process.
- b. If any tampering or damage is discovered, the inspecting officer shall immediately stop use of the equipment and report to the presiding judge, who shall promptly take appropriate action.

Sec. 125.061. Inspecting equipment at polling place.

- a. Before opening a polling place for voting on Election Day, the presiding judge shall inspect any electronic voting system equipment installed at the polling place to determine whether it is installed and functioning properly.
- b. The presiding judge shall take appropriate corrective action if the equipment is not installed or functioning properly.

Sec. 125.063. Securing equipment on close of voting.

On the close of voting at each polling place at which electronic voting system equipment is used, an election officer shall secure or inactivate the equipment as prescribed by the secretary of state so that its unauthorized operation is prevented.

To view this entire article, visit [Texas Secretary of State Website](#).



Voting System Security Technology

Security and auditability are of paramount importance to Hart InterCivic. The Hart Voting System and the Verity Voting system are regulated, tested and certified at both the federal and state levels. They have both been proven to be secure and accurate, successfully capturing and reporting millions and millions of votes across nearly 800 jurisdictions representing over 26 thousand precincts and nearly 30 million registered voters.

Security comes not only from hardware/software technology features, but also from the people who use the systems and the procedures they follow. Hart provides training courses for system operators and election officials, which includes security topics, physical device configuration, and data transfer. Hart encourages jurisdictions to utilize best practices to mitigate risks. Some include:

- Employing a chain of custody processes throughout all pre/during/post-election activities, physical numbered and logged security seals on devices, and experienced trusted election workers on staff
- Conducting Acceptance Testing upon receipt of equipment
- Pre-Election Logic and Accuracy Testing (conduct as provided under your respective State law)
- Post- Election auditing by inspecting the precinct totals and comparing to the cumulative totals

Hart voting systems incorporate a well-defined, end-to-end defense-in-depth (multi-layer) security strategy across all software and hardware elements.

To be awarded certification at the federal level, by the EAC, and to attain state certification, which is required in many states, voting systems must meet or exceed established security standards. Certified voting systems adhere to standards designed to ensure that systems accurately record votes the way they are cast. Security standards include protections against tampering or manipulation and cover requirements for physical security of the equipment and ballots, features that prevent connection to the internet or a network during the voting period, auditing capabilities and more.

Hart's current voting system – Verity Voting – reflects the very latest best practices in system security. Across all software elements and across all devices, Verity puts security first. Verity also supports the most sophisticated and thorough post-election audit processes.

Verity Software

- Hart systems are designed, engineered and manufactured in the United States of America.
- Hart systems are NEVER connected to the internet, intranets, other election office networks, voter registration infrastructure or any other system.
- Hart systems, including devices and workstations, have never included remote access software (such as pcAnywhere); Hart voting systems HAVE NEVER been and WILL NEVER be remotely accessible by Hart or by anyone else.
- Hart systems use application whitelisting, a more effective form of anti-virus, that prevents any unauthorized program, application or code from running on any voting system device or workstation.
- Cast vote record data is digitally signed using NIST-compliant FIPS 140-2 cryptographic modules.
- Data is stored in multiple redundant locations, ensuring no loss of data and easy detection of any attempts to manipulate data.
- Voting devices and workstations operate in "kiosk" mode, ensuring the user can only access those parts of the system which are required for election operation.
- Two-factor authentication is required to ensure access to critical functions is limited to authorized users; role-based profiles ensure that users may only access those parts of the system which they need to do their job.
- Hart systems support the most rigorous post-election audits.
- Throughout all phases of operation, all Verity system components maintain complete audit logs. Every Verity application thoroughly logs all user authorization/authentication, data entry, user interaction, vote adjudication and system events
- Election managers can print or export audit logs from each application, using easy-to-use report filtering to access precise information, for audits

Verity Physical Security Features

External cards, drives or other devices can NOT be inserted by voters into any Hart voting device, nor can executable code be hidden and run from voting system media cards.

Verity devices utilize specific physical features to prevent physical tampering. Access controls include:

- Keyed locks
- Tamper-evident seals
- Non-standard ports that only fit Hart-proprietary cables and devices and prevent insertion of standard, commercial-off-the-shelf cables
- Non-standard electrical wiring in strategic areas
- Two-factor authentication devices to secure access to critical election management functions

Hart recommends our customers deploy strong Chain of Custody processes including all pre-election programming, transport to polling locations, set up and operation within a polling location, pack-up and transport back to central office and storage between elections.

Hart Voting System (HVS) Security

For those jurisdictions using the Hart Voting System, election officials and voters benefit from specific features designed to deliver high performance and reliable security, resulting in a high degree of confidence:

- Security has been a fundamental design concept for the Hart Voting System from the beginning.
- The Hart Voting System includes both physical and electronic intrusion detection controls, such as standard election seals and time-stamped transaction logs that record every system action related to the voting process.
- The Hart Voting System provides:
 - Digital encryption to protect data.
 - Multiple memory storage of cast ballot data.
 - Self-contained components that are not externally networked.
 - Thorough audit logs that provide transparency.
 - Malicious code, or any executable software, cannot be run off of the data card from the polling place. The technology simply doesn't support this scenario.
- eSlate
 - Once a vote is cast on the eSlate system, multiple copies of the electronic ballot are saved simultaneously in different locations (on the eSlate, on the JBC and on the MBB which is inserted in the JBC), making lost data or undetectable fraud virtually impossible.
 - The eSlate's SELECT Wheel™ interface does not require calibration like older touch screen systems. There is no chance of false touches due to ballot images that are misaligned with touch sensors.
 - The eSlate has no external openings that could create a breach in the system's security that might provide access for creative hackers or others seeking to tamper, subvert, or vandalize the system or the election.
 - The system's eSlate® device allows the voter to double-check the ballot before casting it.
 - Each of the vote records can be verified and audited for security and accuracy.
- eScan
 - The eScan provides triple redundancy of the voter's choices: on the MBB flash memory card, within the eScan memory, and on the original marked paper ballot.
 - The scanned paper ballots are secured in a locked ballot box connected to the eScan.
 - The eScan also provides an electronic audit log that records all actions performed on the device with a date-time stamp.
 - The audit log can be printed out as needed by the jurisdiction.

Neither Hart system is ever, in any way, connected to any of the following:

- Internet
- Intranet or in-office networks
- Voter rolls/registration
- Voter personal data
- Other county election office applications
- Campaign/donor information
- Party/campaign volunteer information or schedules
- Voter communications regarding times/locations for early or Election Day voting
- Email systems

Altogether, these features are part of securing elections, making sure that every vote is accurately recorded, the voting process is transparent to voters, and results are auditable. Security is a key element in providing fair and accurate elections for all voters.