

# Primary Elections – What You Need Know

Rachael Garcia – Election Security Trainer

Alexa Buxkemper – Election Training Program Manager

February 16, 2024



- Early Voting Dates: February 20, 2024 – March 1, 2024
- Election Day: March 5, 2024
- Voter Registration Deadline was February 5, 2024
  - Voters who will turn 18 by Election Day, are entitled to vote during the Early Voting period, even if they are still 17 years old.
- Keep processing VR applications
  - Even though the deadline to register or make changes for the Primary has passed, voter registration activities should continue.



- Notice of Election must be posted on the county's website no later than the 21<sup>st</sup> day before election day. Form 1-12
- All counties must maintain an internet website as of January 1, 2020
- Notice must include: [Sec. 4.004]
  - Nature and Date of Election
  - Election Day Polling Places
  - Main Early Voting Location
  - Early Voting Branch Locations
  - Hours the polls will be open
  - Name and Address of the Early Voting Clerk
  - Early Voting Clerk's Telephone Number, Email Address and Internet website Address
  - Deadline to apply for ballot by mail or an FPCA



- Notice of Party Convention must be posted at the polling place [Sec. 172.1111]
  - The party should provide the Notice of Convention (Convention Poster) for posting.
  - Must be posted before the polls open during Early Voting and on Election Day.
  - The Notice must remain posted continuously through the Early Voting period and on Election Day
  - Post the notice at each outside door through which a voter may enter the building where the polling place is located.
  - The date, hour, place for each precinct, county senatorial or state convention that a voter in the precinct may attend during the election year **must be in bold print.**
  - Notice may include the website of the state and county party and any other information deemed necessary by the state executive committee.



- Parties may prepare a Notice of Convention (“hand out”) to be given to each voter who participates in the party’s primary at the time the voter is accepted for voting [Sec. 172.1114]
- The same notice must be used in all precincts within the county
- The county chair may supply the notices or contract with the authority conducting the election to supply the notice.
- The notice may include:
  - Information about the party’s convention process
  - The time and place of the party’s first-level convention process
  - Contact information for the county and state party
  - Website links for information and registration
- The convention “hand-out” may not be larger than 8.5x11



- County Chair can be present at the L&A Test and First Test of Automatic Tabulating Equipment [Secs. 127.096, 129.023]
- The County Chair of a party conducting primary election may be in the polling place during the voting period as necessary to perform administrative functions related to the conduct of the election. [Sec. 172.1113]
- The County Chair may also be in the Central Counting Station while it is convened. [Sec. 31.091]



- A voter shall be allowed privacy to the extent possible when indicating his or her choice of primary.
  - ePollbooks have a choice on the screen for the voter to select the party
  - There is an SOS prescribed sign for voters to point to their party choice. Form 18-8
- An election officer may not suggest a political party's ballot to a voter or discuss any race on the ballot with a voter [Sec. 172.129]
  - If a voter asks in what primary a particular candidate is running, please hand the voter both parties sample ballots and let the voter determine what primary the candidate is in.
  - If it's a separate primary, give the voter the party's sample ballot at the polling site.



- Early Voting Locations can process either party's primary voters
  - Workers in an Early Voting polling place, should be assigned in a manner that provides equal representation to the extent possible for each political party holding a primary election
  - Workers should process voters from either party with courtesy and respect
- Poll Watchers may be present at the Early Voting Polling Place at any time it is open until the completion of the securing of the voting equipment at the close of the voting each day. [Sec. 33.053]
- Watchers may not enter while the Deputy Early Voting Clerk and workers are making their preparations to open.





- Place signage that clearly identifies the party where the voter will check-in, whether it's a joint or separate primary
- Rules for party signage
  - May post signs that identify the names of, or symbols representing, political parties holding the election at the polling place [Sec. 172.127]
  - Signs for each party in the same county must be of similar size
  - Signs may not refer to a candidate or measure on the ballot.



- An election officer shall stamp a voter registration certificate with a party affiliation or provide a party affiliation certificate unless, not later than the 90th day before the date of the primary election, the county chair notifies the County Clerk/Elections Administrator that the chair does not require a stamped voter registration certificate or affiliation certificate for verification of attendance at a precinct convention. [Sec. 162.004(a-1)]
- The Notice of Party Convention (“hand-out”) and the Certificate of Party Affiliation may be combined. [Sec. 162.004(c)]



- How does a person affiliate with a political party?
  - By participating in a political party's Primary
  - By attending a political party's convention or caucus
  - By swearing an oath of affiliation
- How long does party affiliation last?
  - Until the end of the calendar year.
- Am I registered as a Republican or Democrat?
  - Texas does not have party affiliated registrations.
- Primary Ballot Pledge
  - "I am a (insert appropriate political party) and understand that I am ineligible to vote or participate in another political party's primary election or convention during this voting year."



- Why do I have to choose a Primary?
  - There are two separate elections taking place on the same day.
  - Texas does not have party affiliated registrations.
  - To vote in the primary the **voter** must choose a party.
- Why can't I vote in both primaries?
  - Once a voter has been accepted for voting in a political party's primary, he or she has affiliated with that party.
- Is the fact that I voted in a Primary Election Confidential?
  - No. The offices and candidates that you voted for are confidential and secret, but the fact that you voted in a particular party's primary is public information and your name will be listed on that party's early voting and election day rosters.



- A voter can back out of the voting process anytime before the ballot is cast
  - Remember, if the voter cast the ballot, a cast ballot cannot be retrieved and corrected.
- As long as the voter did not cast the ballot, the check-in process can be cancelled and the voter can requalified later.
  - Mostly occurs when the voter wants to do more research
  - Also happens when voter realizes he or she is at the wrong Primary Election
  - Voter may have to leave in case of an emergency

Cancelling a check-in resets the voters status as if the voter had not been previously qualified to vote in this election.

Please have the Early Voting Clerk's Office or election workers, if given access, reset status immediately.



- A Back Out voter tells an election worker he or she wants to come back later, but a Fleeing voter usually disappears without informing an election worker
- How do you know if a voter left without casting the ballot?
  - There may or may not be a ballot left behind
  - The numbers do not balance because there are more check-ins than votes cast
  - If the voting session is still active
- Do everything possible to see if the voter is still in the voting site and stop the voter from leaving so that the ballot may be cast.
- Prevent Fleeing voters by posting a person at the ballot box to let voters know to cast the ballot before leaving the polling place.



- A voter receives a ballot for one party and realizes that he or she wants to switch to the other party.
- The voter can do this as long as the ballot was not cast.
  - Remember, if the voter cast the ballot, a cast ballot cannot be retrieved and corrected.
- If using an ePollbook, cancel the check-in.
  - Easier in a Joint Primary where both primaries are happening in the same location
  - A little more difficult in a separate primary where the elections are being held at different locations.
- Cancelling a check-in resets the voters status as if the voter had not been previously qualified to vote in this election.
- Please have the Early Voting Clerk's Office or election workers, if given access, reset status immediately.
- Complete required paperwork such as Reconciliation Logs, Spoiled/Cancelled Ballot Logs, as needed



- If a voter requests a ballot for a one party's primary, can the voter vote in the other party's primary?
  - Yes. The voter will take the ballot he or she received and go to the primary where he or she wishes to vote. The election worker will cancel the ballot by mail and provide a ballot by personal appearance for the other party whether in Early Voting or on Election Day.
- **Reminder: If a voter does not have the official ballot to surrender, a Notice of Improper Delivery or a Notice of Surrendered Ballot, the voter must vote a provisional Ballot**
- If the voter takes his or her mail ballot at the Early Voting Clerk's office and not the polling place, the voter will be issued the Notice of Surrendered Ballot by Mail. The voter can take this form to the early voting or election day polling place entitling the voter to vote a regular ballot in person



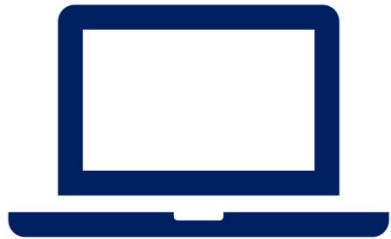




- Poll Watcher must present a Certificate of Appointment upon arrival at the polling place
  - It must be fully completed and signed by the appointing authority – signatures of appointing officials may not be redacted
- Watchers must complete the Secretary of State's Online Poll Watcher Training and present a physical copy of the Certificate of Completion to the election official when the watcher reports for service.
- New Poll Watcher Information Sheets in the Secretary of State's Forms Bank – Forms # 4-31 and #4-32
  - Condensed version of the SOS Poll Watcher Guide
  - Serves to answer important questions rapidly



## AVAILABLE SUPPORT



**WEBINARS**



**TRAINING**



**RESOURCES**

ELECTION SECURITY TRAINERS  
[ElectionSecurity@sos.texas.gov](mailto:ElectionSecurity@sos.texas.gov)

