

Q&A with the Elections Division  
February 7, 2024



# County Election Officer Responsibilities

- **Voter Registration Deadline**

- Last day to register to vote or make a change of address effective for the Tuesday, March 5, 2024 primary election. - Monday, February 5, 2024
- See our email from January 30, 2024 on the recommended order of identification to determine whether or not an application should be considered to be timely.
  - Also review our Q&A webinar from January 31, 2024
- Counties must continue to process voter registration applications and should **not** stop processing applications even if the voter's registration application is received after the deadline for a given election!
  - See Advisory No. 2023-26 Voter Registration List Maintenance Under the National Voter Registration Act of 1993 (NVRA) and the Texas Election Code as it Pertains to the Primary Election and Primary Runoff Election



# County Election Officer Responsibilities

- Counties may now be receiving public information requests for the list of registered voters
  - Section 18.008 – The registrar must furnish a copy of any voter registration list prepared under Subchapter A, Chapter 18 of the Election Code to any person requesting it. The list must be furnished as soon as practicable, but no later than the 15th day after the date the registrar receives a request or completes preparation of the list from which the copy is to be made, whichever occurs later
    - See the Public Information Outline emailed to counties on January 24, 2024
    - Recommend working with your county attorney or public information officer when responding to PIRs
    - For additional guidance on responding to public information requests, you may also to contact the Texas Attorney General's Office, as they have an Open Government Hotline that specializes in these issues. They can be reached at 877-673-6839.
  - Note that continuing to process voter registration applications may necessitate the need for a supplemental list of registered voters



# Volunteer Deputy Registrars

- Our office does not post the volunteer deputy registrar exam on our website!
- The VDR exam is posted on the TEAM Docshare site, along with the answer key!
- Counties have two options.
- Counties can conduct their own VDR training in-person or virtually. If VDRs attend county training, then no exam is required.
- Counties can adopt a procedure that allows people to review the SOS online VDR training. If the county has adopted this approach, then people must appear in person at the VR office to take the exam afterwards.
  - There is no online VDR exam.
  - The exam is open book and a person must answer at least 18 of 20 questions correctly to pass.
  - If they fail they can take the exam again.
  - There is no limit to the number of times a person can take the exam.



# Volunteer Deputy Registrars

## Resources:

- See our [Voter Registration Resources Page](#)
- Volunteer Deputy Registrar page contains the following information:
- [Volunteer Deputy Registrar Guide](#)
- [Volunteer Deputy Registrar Guide \(Spanish\)](#)
- [Volunteer Deputy Registrar Training Presentation](#)
- [Volunteer Deputy Registrar Training Program \(Spanish\)](#)
- [Request for Appointment as a Volunteer Deputy Registrar](#)
- [Voter Registration Application for Use by VDR](#)
- [Voter Registration Application for Use by VDR \(Spanish\)](#)
- [Frequently Asked Questions \(FAQs\)](#)
- [Frequently Asked Questions \(Spanish\)](#)



## Notice of Election

- Last day for county clerk to post notice of the general primary election on the county's website is Tuesday, February 13, 2024
- If the county does not maintain a website, then the notice must be posted on the commissioners court bulletin board. (Secs. 4.003, 172.1112).
- The party may post the notice on the party's website, if the party maintains a website.
- There is **no** requirement to publish notice of the primary or runoff primary elections in a newspaper, and the cost of any such publication will not be reimbursed with primary funds.
  - See our election law calendar for required contents of the notice:  
[No.2023-21](#) - March 5, 2024 Primary Election Law Calendar and May 28, 2024 Primary Runoff Election Law Calendar



# Early Voting Ballot Board

- May begin meeting at any time!
- Must have their first meeting not later than the 9<sup>th</sup> day before election day. – Monday, February 26, 2024
- **This requirement applies regardless of the county's population size**





# Voter Issues

Our office has received questions from counties on what to do if a voter realizes a candidate they wanted to vote for is on a different ballot from the party they selected (i.e. voter sign-ins as Party X, realizes that a candidate is on Party Y's ballot and not Party X's).

- Unless the early voting clerk/election judge can conclusively determine that the voter has not already cast a ballot in that election, the voter cannot cast a ballot in the other party's election.
- If the early voting clerk/election judge has sufficient information or personal knowledge to confirm that the specific voter did not cast a ballot in the election, then the voter may be allowed to cast a ballot in the other party's election.
- This is a very fact-specific situation!
- Remember that a sample ballot must be posted in one or more locations in the polling place where it can be read by persons waiting to vote. (Sec. 62.012)





## Voter Issues

- When the voter provides two applications for ballot by mail with different primaries checked, the second application for ballot by mail will generally cancel the first application.
- The second application submitted will be considered the valid one, and the Early Voting Clerk should send the voter a ballot for the primary indicated on that second-in-time ABBM (assuming that the second-in-time application was properly completed and submitted). This is the case even if the Early Voting Clerk has already mailed the voter a ballot based on the first ABBM.
- If the voter returns the first mailed ballot, it should be treated as canceled and not sent to the early voting ballot board.



## Things to Consider...

- Candidate Filing Period for May Uniform Election
  - Friday, February 16, 2024 at 5:00 pm: Last day for a candidate in a political subdivision (other than a county) to file an application for a place on the ballot for general election for officers for most political subdivisions
  - **City Offices with Four-Year Terms:** If no candidate has filed for a city office with a four- year term, the filing deadline is extended to 5:00 PM on Friday, March 8, 2024.
  - Deadline for political subdivisions to order a general election
  - Deadline to order a special election on a measure



# Questions?

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