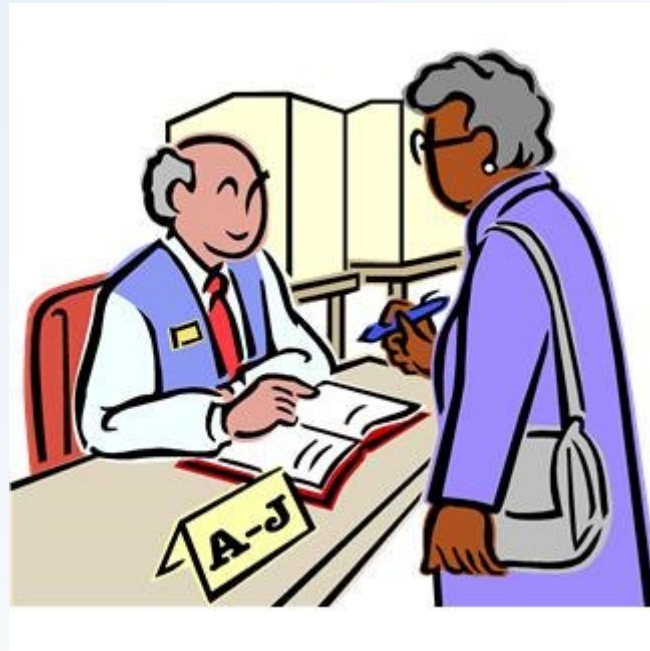


# Election Workers and Officials



Texas Secretary of State  
Summer 2023 Webinar



# Agenda

- Qualifications of Election Workers and Officials
- Number of Personnel Required
- Appointment of Election Workers and Officials
- Duties of Election Workers and Officials
- Contracting and Election Workers and Officials
- Serving Multiple Roles and Conflicts
- Training of Election Workers
- Compensation for Election Workers and Officials
- Vacancies in Election Worker Positions



# Qualifications



# Qualifications – Poll Workers

	Election Judge	Election Clerk
Qualified Voter of _____	Precinct (If unable to find qualified voter of precinct, may use qualified voter of political subdivision → clerk requirements)	Political Subdivision (County, City, etc.)
Can be an employee of political subdivision?	<b>Yes</b> – if there is no other legal or practical conflict, e.g. employee of candidate.	<b>Yes</b> – if there is no other legal or practical conflict, e.g. employee of candidate.
Can be a candidate?	<b>No</b> – if candidate for a <i>contested</i> office in election held on that day → cannot serve in a precinct for which candidate appears on ballot.	<b>No</b> – if candidate for a <i>contested</i> office in election held on that day → cannot serve in a precinct for which candidate appears on ballot.
Can be a relative of candidate?	<b>No</b> – if related within the second degree of consanguinity or affinity to an <i>opposed</i> candidate → cannot serve in a precinct for which candidate appears on ballot.	<b>No</b> – if related within the second degree of consanguinity or affinity to an <i>opposed</i> candidate → cannot serve in a precinct for which candidate appears on ballot.
Can be an employee of candidate?	<b>No</b> – if candidate is <i>opposed</i> and employer of judge → cannot serve in a precinct for which candidate appears on ballot.	<b>No</b> – if candidate is <i>opposed</i> and employer of clerk → cannot serve in a precinct for which candidate appears on ballot.
Can be employee of campaign?	<b>No</b> – if campaign manager or treasurer. <b>Inadvisable</b> – If serving other role within campaign.	<b>No</b> – if campaign manager or treasurer. <b>Inadvisable</b> – If serving other role within campaign.
Can be an public officeholder?	<b>No</b> – if they hold elective public office.	<b>No</b> – if they hold elective public office.
Can be convicted of election offense?	<b>No</b> – if finally convicted of election related offense.	<b>No</b> – if finally convicted of election related offense.

# Early Voting Clerk

- By virtue of the law, the county clerk/elections administrator is the Early Voting Clerk for the following elections:
  - General Election for State and County Officers
  - Primary Election
  - **Special Election Ordered by the Governor**
  - Any Countywide Election Held at County Expense.  
(§83.002)



# Qualifications – Temporary Deputy Early Voting Clerk

When the County Clerk/Elections Administrator is the Early Voting Clerk...

Temporary Deputy Early Voting Clerk	
Qualified Voter of _____	County.
Can be an employee of political subdivision?	Yes.
If permanent employee of political subdivision, qualified voter of _____	Any territory.
Can be an employee of candidate?	No, unless the Early Voting Clerk is the County Clerk that is a candidate.
Must meet all other requirements of an election judge?	Yes.



# Qualifications – Early Voting Officials (CSO)

	Early Voting Clerk (Schools and Others)	Deputy Early Voting Clerk (City)	Deputy Early Voting Clerk (School and Other)
Qualified Voter of _____	Political Subdivision, if not a permanent employee of the political subdivision.	City, if not a permanent employee of the city.	Territory Election. Covered by
Can be an employee of political subdivision?	Yes.	Yes.	Yes.
If permanent employee of political subdivision, qualified voter of _____	Any territory.	Any territory.	Any territory.
Can be an employee of candidate?	Yes – if appointing authority has candidates-even if candidates are incumbents and/or opposed, e.g. school board trustees.	Yes – if appointing early voting clerk is a candidate.	Yes – per 83.006(b) and 83.033.
Must meet all other requirements of an election judge?	Yes.	Yes.	Yes.

**NOTE: City Secretary is Early Voting Clerk for a city election per §83.005.**



# Qualifications – Early Voting Ballot Board and Signature Verification Committee

	Early Voting Ballot Board Judge and Member	Signature Verification Committee Member
Qualified Voter of _____	Territory served by early voting clerk.	County for countywide election ordered by governor or county authority or in a primary election.  Part of county where election is held for less than countywide election ordered by governor or county authority.
Must meet all other requirements of an election judge?	Yes.	No requirement.







# Qualifications – Early Voting Ballot Board and Signature Verification Committee (CSO)

	Early Voting Ballot Board Judge and Member	Signature Verification Committee Member
Qualified Voter of _____	Territory served by early voting clerk.	Political subdivision.
Must meet all other requirements of an election judge?	Yes.	No requirement.



# Qualifications – Central Counting Station (CCS)

	CCS Manager	Tabulation Supervisor	Assistant Tabulators	CCS Judge	CCS Clerks
Registered Voter of _____	Political subdivision of authority establishing CCS	Political subdivision of authority establishing CCS	No requirement.	Political subdivision of authority adopting voting system	County in which CCS is located. Or employee and qualified voter
Registered voter unless...	Person is employee or it's the first year of adoption	Person is employee of political subdivision that owns/adopts	N/A	N/A	N/A
Can be an employee of political subdivision?	Yes.	Yes.	Yes.	Yes.	Yes – if no other legal or practical conflict.
Can be a candidate or officeholder?	Yes – but only if general custodian of election records.	No.	Yes – if no other legal or practical conflict.	Yes – but only if general custodian of election records.	Yes- but only if general custodian of election records.
Other requirements	Knowledge of voting system	Trained on voting system.	Trained on voting systems	None.	None.
Must meet other requirements of an election judge?	Yes.	Yes.	No.	Yes.	Must meet clerk requirements.

# FAQs – Personnel

**Q:** Do I need to perform a criminal background check on personnel?

**A:** Yes. You need to perform a background check on all election officials, staff and temporary workers who will engage in pre-election programming, testing and preparing of the voting system equipment for early voting and election day. After conducting the background check, you will need to decide whether to hire someone if they have a criminal record.



# Number of Personnel Required



# Number of Personnel

Location	Number	Roles
Precinct Polling Location	<ul style="list-style-type: none"> <li>-Minimum of 3 per precinct</li> <li>-Maximum # of clerks set by appointing authority</li> <li>*A home-rule charter may provide for fewer than 3 persons.</li> </ul>	<ul style="list-style-type: none"> <li>-Presiding Judge</li> <li>-Alternate Judge/Clerk</li> <li>-Election Clerks</li> </ul>
Early Voting Personnel	<ul style="list-style-type: none"> <li>-Recommended 2 per early voting location.</li> <li>-No maximum - appoint # of deputies necessary to conduct early voting.</li> </ul>	<ul style="list-style-type: none"> <li>-Early Voting Clerk</li> <li>-Deputy Early Voting Clerk</li> </ul>
Early Voting Ballot Board	<ul style="list-style-type: none"> <li>Minimum of 3 – presiding judge, alternate judge, and one other member.</li> <li>-No maximum – appoint # necessary for Board tasks.</li> </ul>	<ul style="list-style-type: none"> <li>-Presiding Judge</li> <li>- Alternate Judge</li> <li>-Early Voting Ballot Board Members</li> </ul>
Signature Verification Committee (If any)	<ul style="list-style-type: none"> <li>-Minimum of 5 members.</li> <li>-No maximum – appoint # necessary to conduct committee tasks.</li> </ul>	<ul style="list-style-type: none"> <li>-Signature Verification Committee Members</li> </ul>
Central Counting Station	<ul style="list-style-type: none"> <li>-Minimum of 4: CCS manager, tabulation supervisor &amp; presiding and alternate judge.</li> <li>-No maximum – may appoint # of clerks and assistants to tabulation supervisor as necessary</li> </ul>	<ul style="list-style-type: none"> <li>-CC Station Manager</li> <li>-Tabulation Supervisor</li> <li>-Assistants to Tabulation Supervision</li> <li>-Presiding Judge</li> <li>-Clerks</li> </ul>



# FAQs - Personnel

**Q:** Do I need to hire elections clerks that are bilingual?

**A:** Yes-if 5% or more of inhabitants of a precinct speak Spanish or other certain certified languages, other than English, you must make a reasonable effort to appoint a sufficient number of bilingual clerks. We recommend working with people in your community to locate bilingual clerks, e.g. language teachers, minority groups, civic teachers, current elections workers, churches with services in other languages, etc.

**NOTE:** If you cannot find enough bilingual clerks, you must provide one bilingual worker at a central location to provide translation and assistance.



# Appointment/Hiring of Workers



# Who Appoints? (CSO)

Position	Appointing Authority
Presiding Election Judge and Alternate Judge	Governing Body of Political Subdivision
Election Clerks	Presiding Judge
Early Voting Clerk	City Election – City Secretary per 83.005 Other Elections - Authority Ordering Election
Deputy Early Voting Clerk	City Election – City Secretary Other Elections – Authority Appointing the Early Voting Clerk
Early Voting Ballot Board Judge and Alternate Judge	Governing Body of Political Subdivision
Early Voting Ballot Board Member	Presiding Judge of Early Voting Ballot Board
Signature Verification Committee Member	Governing Body of Political Subdivision
Central Counting Station Manager	Authority Establishing Central Count
Tabulation Supervisor	Authority Establishing Central Count
Assistants to the Tabulation Supervisor	Tabulation Supervisor, with approval of Authority Establishing Central Count
Presiding Judge of Central Count	Governing Body of Political Subdivision
Clerk of Central Counting Station	Central Counting Station Manager and/or Presiding/Alternate Judge of Central Counting Station





# When to Appoint? (CSO)

Positions	Time to Appoint
Election Judge (Presiding and Alternate) Early Voting Clerk Early Voting Ballot Board Judge (Presiding and Alternate) Central Counting Station Manager Tabulation Supervisor Judge of Central Counting Station	<b>Recommended:</b> Appoint by deadline for ordering election under Section 3.005: -78 <sup>th</sup> day before uniform elections -62 <sup>nd</sup> day before other elections
Deputy Early Voting Clerk	<b>Recommended:</b> As soon as possible after election is ordered.
Early Voting Ballot Board Member	<b>Recommended:</b> Presiding judge may designate election judges or clerks to serve on the EVBB. We recommend assisting presiding judge with list.



# Notes for November 2023

- **Differences from November Even Numbered Year**
  - The procedure for appointing early voting officers from a list provided by the political parties under Section 85.009 of the Code applies only to the General Election for State and County Officers; it does not apply to the Constitutional Amendment Election in November of odd-numbered years.
  - Unlike the November General Election for State and County Officers in even-numbered years, **the county election board does not appoint the early voting ballot board in November of odd-numbered years.** The procedure for appointing the early voting ballot board is set out in Section 87.002 of the Code.
  - There is no “list procedure” in effect for nominating members to the **signature verification committee** in elections held on the uniform November election date in odd-numbered years.



# Who is Appointing Authority?

Position	November General
Election Judge (Presiding and Alternate)	County Commissioners Court via "List Procedure" (32.002)
Election Clerks	Presiding Judge via "List Procedure" (32.034)
Early Voting Clerk	N/A as EVC is County Clerk/Elections Administrator (83.002)
Deputy Early Voting Clerks (Office Personnel)	County Clerk/Elections Administrator (83.032)
Early Voting Election Officers (Polling Place Personnel)	County Clerk/Elections Administrator (83.032)
Early Voting Ballot Board Presiding and Alternate Judge	County Commissioners Court via "List Procedure" (32.002)
Early Voting Ballot Board Member	Presiding Judge via "List Procedure" (32.034)
Signature Verification Committee Member	County Election Board (87.027(b))
Central Counting Station Manager	Authority Establishing Central Count (127.002)
Tabulation Supervisor	Authority Establishing Central Count (127.003)
Assistants to the Tabulation Supervisor	Tabulation Supervisor, with approval of Authority Establishing Central Count (127.004)
Presiding Judge/Alternate Judge of Central Count	County Commissioners Court via "List Procedure" (32.002 and 127.005)
Clerk of Central Counting Station	Central Counting Station Manager or Presiding Judge of Central Count (127.006)

# Who is Appointing Authority?

Commissioners Court	<ul style="list-style-type: none"> <li>• Presiding and Alternate Judges</li> <li>• Presiding and Alternate Judge of Early Voting Ballot Board</li> <li>• Presiding and Alternate Judge of Central Counting Station</li> <li>• Central Counting Station Manager</li> <li>• Tabulation Supervisor</li> <li>• Assistants to Tabulation Supervisor (approving appointment by Tabulation Supervisor)</li> </ul>
County Election Board	<ul style="list-style-type: none"> <li>• Signature Verification Committee</li> </ul>
County Clerk/Elections Administrator	<ul style="list-style-type: none"> <li>• Early Voting Election Officers (Polling Place Workers)</li> <li>• Deputy Early Voting Clerks (Election Office Workers)</li> </ul>
Presiding Judge of Precinct	<ul style="list-style-type: none"> <li>• Election Clerks</li> </ul>
Presiding Judge of Early Voting Ballot Board	<ul style="list-style-type: none"> <li>• Early Voting Ballot Board Members</li> </ul>
Presiding Judge of Central Counting Station	<ul style="list-style-type: none"> <li>• Central Counting Station Clerks</li> </ul>
Tabulation Supervisor (with approval of Commissioners Court)	<ul style="list-style-type: none"> <li>• Assistants to Tabulation Supervisor</li> </ul>



# County Election Board

- Consists of:
  - County Judge
  - County Clerk → Elections Administrator
  - Voter Registrar → Elections Administrator
  - Sheriff
  - County Chair of each political party \*Does NOT apply to November 2023

Section 51.002



# How are workers appointed?

"List Procedure" Required	"List Procedure" Not Required
<ul style="list-style-type: none"><li>-Presiding and Alternate Judges</li><li>-Election Clerks</li><li>-Early Voting Ballot Board Presiding and Alternate Judge</li><li>-Early Voting Ballot Board Members</li><li>-Presiding and Alternate Judges of Central Count</li></ul>	<ul style="list-style-type: none"><li>-Deputy Early Voting Clerks (Office Workers)</li><li>-Early Voting Election Officers (Polling Place Workers)</li><li>-Signature Verification Committee</li><li>-Central Counting Station Manager</li><li>-Tabulation Supervisor</li><li>-Assistants to Tabulation Supervisor</li><li>-Clerks of Central Counting Station</li></ul> <p>*These positions should be appointed in writing, but individuals are not required to be selected from a list of names.</p>



# List Procedure

- Intended to provide “party parity” in election process.
- Allows county chairs to provide a list of qualified individuals to serve.
- Requires appointing authority to appoint first qualified name on the list for Presiding Judge and Alternate Judge.



# Party Parity – “List Procedure”

Position	Date List Due	Who May Submit List	List Submitted to...
Election Judge (Presiding and Alternate)	<ul style="list-style-type: none"> <li>• <b>June 30</b> – counties with a population over 500,000</li> <li>• <b>July 31</b> – counties with a population of 500,000 or less</li> </ul>	The County Chair of party with highest and second highest gubernatorial votes.	County Commissioners Court
Election Clerks	25 <sup>th</sup> day before election day	The County Chair of party with highest and second highest gubernatorial votes.	Presiding Judge of Precinct (If no judge appointed by 25 <sup>th</sup> day, list is submitted to county chair of party with highest number of gubernatorial votes or commissioners court if no chair.)
Early Voting Election Officers (Polling Place Personnel) <i>*Does NOT apply to November 2023</i>	June 30 in all counties. May supplement the list until 30 <sup>th</sup> day before EV begins if appointed worker cannot serve.	The County Chair of each political party holding a primary in the county. <i>*Does NOT apply to November 2023</i>	County Clerk
Early Voting Ballot Board Judge (Presiding and Alternate)/Member	No prescribed date. Recommend by date of other appointments for judges.	The County Chair of each political party with nominees on the general election ballot.	County Commissioners Court
Signature Verification Committee Member <i>*Does NOT apply to November 2023</i>	No prescribed date. Recommend lists be submitted by 32 <sup>nd</sup> day before election day.	The County Chair of each political party with nominee or aligned candidate on the ballot. <i>*Does NOT apply to November 2023</i>	County Election Board
Presiding Judge/Alternate Judge of Central Court	<ul style="list-style-type: none"> <li>• <b>June 30</b> – counties with a population over 500,000</li> <li>• <b>July 31</b> – counties with a population of 500,000 or less</li> </ul>	The County Chair of party with highest and second highest gubernatorial votes.	County Commissioners Court



Position	Appointing from List
Election Judge (Presiding and Alternate)	<ul style="list-style-type: none"> <li>-Presiding Judge is from party whose candidate for governor received the highest number of votes in precinct.</li> <li>-Alternate Judge is from party whose candidate for governor received the second highest number of votes in precinct.</li> </ul>
Election Clerks	<ul style="list-style-type: none"> <li>-If more than one clerk is to be appointed, at least one clerk must appointed from each list submitted by the major parties, i.e. Democrat and Republican Parties.</li> <li>-If only one clerk is to be appointed, must be appointed from the list of a political party with which neither the presiding or alternate judge is affiliated, i.e. Libertarian or Green party. If both minor parties submit a list, one name shall be chosen from either list. If neither minor party submits a list, the appointment does not have to be made from any list. (32.034)</li> </ul>
Early Voting Election Officers (Polling Place Personnel) <b>*Does NOT apply to November 2023</b>	<ul style="list-style-type: none"> <li>-Presiding Early Voting Election Officer is from the party whose candidate for governor received the highest number of votes in the county.</li> <li>-Alternate Early Voting Election Officer is from the party whose candidate for governor received the second highest number of votes in the county.</li> <li>-Early Voting Officers must be appointed in a manner that provides equal party representation to the extent possible.</li> </ul>
Early Voting Ballot Board Judge (Presiding and Alternate)/Member	<ul style="list-style-type: none"> <li>-Presiding Judge is appointed from the list submitted by the party whose candidate for governor received the most votes in the county.</li> <li>-Alternate Judge is appointed from the list submitted by the party whose candidate for governor received the second most votes in the county.</li> <li>-At least one person from each list submitted must be appointed, and the same number of members must be appointed from each list. <b>*Does NOT apply to November 2023</b></li> </ul>
Signature Verification Committee Member <b>*Does NOT apply to November 2023</b>	<ul style="list-style-type: none"> <li>-The chair must be appointed from the list submitted by the party whose candidate for governor received the most votes in the county.</li> <li>-The vice chair must be appointed from the list submitted by the party whose candidate for governor received the second votes in the county.</li> <li>-At least two persons from each list submitted must be appointed, and the same number of persons must be appointed from each list.</li> </ul>
Presiding Judge/ Alternate Judge of Central Count	<ul style="list-style-type: none"> <li>-Presiding Judge is from the party whose candidate for governor received the highest number of votes in the county</li> <li>-Alternate Judge is from the party whose candidate for governor received the second highest number of votes in the county.</li> </ul>

# FAQs - Countywide Program

**Q:** How are judges and clerks appointed for countywide polling locations?

- **A:** Section 32.002 of the Code provides the procedure for selecting the presiding and alternate judges for a countywide polling place.
  - The county chairs shall submit a list of names of persons eligible for appointment as election judges to the county commissioners court.
  - The commissioners court must apportion the number of judges for countywide polling places in direct proportion to the percentage of election precincts located in each county commissioners precinct won by each party in the last gubernatorial election.



# Countywide Example

- If the county has 10 county election precincts located in county commissioner precinct #1 and one party won 6 of those 10 precincts in the 2022 gubernatorial election while the other party won 4 of those 10 precincts, there would be a 60% to 40% split of the county election precincts in that county commissioner precinct for the two parties.
- This means that if the county plans to have five countywide polling places in county commissioner precinct #1, the commissioners court must appoint a presiding judge from the list of the party who won 60% of the county election precincts in 2022 to three of those five countywide polling places in county commissioner precinct #1 and a presiding judge from the list of the party who won 40% of the county election precincts in 2022 to the remaining two of the five countywide polling places in county commissioner precinct #1.
- This is because 60% of five polling places is equal to three polling places and 40% of five polling places is equal to two polling places.



# FAQs - Countywide Program

- In cases where the application of percentages for countywide polling place judges does not result in a whole number, our office recommends that a county attempt to get as close to the percentages as possible and uniformly apply any resolution method.
- Presiding and alternate judges for (CWPP)
  - Not required to be qualified voters of any particular election precinct, but they must be qualified voters of the county.
  - Does not have to reside in the election precinct where the countywide polling place is located, and
  - More than one presiding or alternate judge from the same election precinct may be selected to serve on election day.



# FAQs - Countywide Program

- County chairs may submit a list containing more names than needed for the appointment to the position of presiding and alternate judge at all countywide polling place locations and the commissioners court may preapprove appointment of more judges than necessary.
- Any presiding or alternate judge vacancy that occurs after such preapproval can be filled by the appointment of a preapproved judge.



# FAQs – No list

If the county chair does not submit a list, or does not submit a list with enough names:

Position	Action
Election Judge (Presiding and Alternate)	CC/EA must make “reasonable effort” to consult with county chair. After that, CC/EA should submit a list of eligible persons to commissioners court for appointment to precincts that do not have an presiding and/or alternate judge. The commissioners court shall appoint with party parity, if possible. (32.002(d))
Deputy Early Voting Clerk (Polling Place Personnel) <b>*Does NOT apply to November 2023</b>	CC/EA must make “reasonable effort” to consult with county chair. After that, CC/EA should appoint eligible persons to early voting locations that do not have a presiding and/or alternate early voting election officer. The CC/EA shall appoint with party parity, if possible. (85.009(c))

The Election Code does not provide guidance on other roles. However, we recommend making a reasonable effort to consult with the chair, then submit a list of names to commissioners court for appointment, and appointments should be made with party parity, when possible.



# When Should Workers be Appointed?

Position	November General
Election Judge (Presiding and Alternate)	-July Term of Commissioners Court (Counties 500k+) -August Term of Commissioners Court (Counties 500k-)
Election Clerks	-Around 25 <sup>th</sup> day before election day, after list received.
Early Voting Clerk	-Appointed as matter of law.
Deputy Early Voting Clerk (Office Personnel)	<b>-Recommended:</b> As soon as possible after election is ordered.
Deputy Early Voting Clerk (Polling Place Personnel)	-In time for training.
Early Voting Ballot Board Judge (Presiding and Alternate)	-July Term of Commissioners Court (Counties 500k+) -August Term of Commissioners Court (Counties 500k-)
Early Voting Ballot Board Member	<b>-Recommended:</b> Not later than October 1.
Signature Verification Committee Member	<b>-Recommended:</b> 25 <sup>th</sup> day before election day.
Central Counting Station Manager, Tabulation Supervisor, and Assistants to the Tabulation Supervisor	<b>Recommended:</b> -July Term of Commissioners Court (Counties 500k+) -August Term of Commissioners Court (Counties 500k-)
Judge of Central Count (Presiding and Alternate)	-July Term of Commissioners Court (Counties 500k+) -August Term of Commissioners Court (Counties 500k-)
Clerk of Central Counting Station	<b>Recommended:</b> Around 25 <sup>th</sup> day before election day.



# What is Required Paperwork?

Position	Method of Appointment
Election Judge (Presiding and Alternate)	Writ of Election (4.007) Order of Appointment (32.008) Notice of Appointment (32.009)
Election Clerks	Written Notification to County Chair of Party (32.034)
Early Voting Clerk	N/A
Deputy Early Voting Clerk (Office Personnel)	Written Order by County Clerk/Elections Administrator (83.032)
Deputy Early Voting Clerk (Polling Place Personnel)	Written Order by County Clerk/Elections Administrator (83.032)
Early Voting Ballot Board Judge/Member	Recommend appointment be in writing.
Signature Verification Committee Member	Early Voting Clerk must post notice of names/addresses of appointees. (87.027)
Central Counting Station Manager, Tabulation Supervisor, and Assistants to the Tabulation Supervisor	Recommend appointment be in writing.
Judge of Central Count (Presiding and Alternate)	Order of Appointment (32.008) Notice of Appointment (32.009)
Clerks of Central Counting Station	Recommend appointment be in writing.



# Duties of Election Workers and Officials



# Duties

Position	Duties
Election Judge	Management of polling place on election day; preserve order and prevent breaches of peace. Management of clerks hours and activities.
Election Clerks	Performs duties assigned by judge in conducting election.
Early Voting Clerk	Officer in charge of conducting early voting for the election. Also, maintains hours on election day for early voting activities.
Deputy Early Voting Clerk	Also, an officer of the election for conducting early voting with same authority of EVC subject to their supervision.
Early Voting Ballot Board Judge and Members	EVBB process early voting results for the election-mail ballots and processes provisional ballots.
Signature Verification Committee Member	SVC compare signatures on application for mail ballot to carrier envelope to confirm signature is that of the voter's.
Central Counting Station Manager	Management of central counting station and personnel; established written plan for station.
Tabulation Supervisor	Management of automatic tabulating equipment for counting ballots.
Assistants to the Tabulation Supervisor	Assists with automatic tabulating equipment.
Judge of Central Count	Maintaining order of station, and conferring with personnel and review of irregularly marked ballots.
Clerk of Central Counting Station	Assists manager or judge with functions of station.



# Contracting/Joint Elections and Election Workers/Officials



# Contracting

- In a contract for election services with the county, the entities should determine which entity will be taking on which role. However, the following roles cannot be changed by contract:
  - Filing authority for candidate applications
  - Filing authority for Title 15 documents
  - A political subdivision's requirement to maintain office hours under 31.122.
    - Political subdivisions, including cities, may contract for the county to be the custodian of voted ballots. (Sec. 31.096)



# Joint Elections

- **Early voting:** Decide whether doing it jointly.
  - If jointly:
    - Appoint **one** early voting clerk as **joint** early voting clerk.
    - Must keep normal early voting locations and hours.
    - Regular early voting clerks must get **apps** for mail ballot.
    - Other mail voting procedures can be done by **either**:
      - The entity's regular early voting clerk; or
      - The joint early voting clerk.
  - If **not** jointly:
    - Normal early voting laws apply.
    - Except: Early voting at common polling places.



# Dual Roles and Conflicts



# Election Officials

Role A	Role B	Okay?
Election Official (City Secretary, etc.)	Early Voting Clerk (EVC)	<b>Yes</b> – Generally req'd by law to serve as EVC, and can be appointed by school/other political subdivision. [Ch. 83]
Election Official	Election Judge	<b>No</b> – If election official has employment relationship with candidate. Otherwise, <b>inadvisable</b> since also likely EVC and must manage election.
Election Official	EVBB Judge	<b>No</b> – Duties conflict in scope and time for performance. Also, official may have employee relationship with candidates on ballot.
Election Official	Central Counting Station Manager	<b>Yes</b> – Generally election official appointed as CCS Manager [127.002]
Election Official	Tabulation Supervisor	<b>No</b> – If election official is also CCS Manager. [127.003]
Election Official	Central Counting Station Judge	<b>No</b> - If election official is also CCS Manager or Tabulation Supervisor. [127.005] <b>Inadvisable</b> – If election official has employee relationship with candidates on ballot.
Election Official	Central Counting Station Clerk	<b>No</b> - If election official is also CCS Manager cannot appoint self. [127.006]



# Early Voting Officials

Role A	Role B	Okay?
Early Voting Clerk	Election Judge/Alternate Judge	<b>No</b> – Clerk must keep office open on election day (83.011)
Early Voting Clerk	Election Clerk	<b>No</b> – Clerk must keep office open on election day (83.011)
Early Voting Clerk	EVBB Judge/Member	<b>No</b> – Duties conflict in scope and time for performance. Also, official may have employee relationship with candidates on ballot.
Early Voting Clerk	Signature Verification	<b>Inadvisable</b> -Duties conflict in scope and time for performance.
Early Voting Clerk	Central Counting Station	<b>Yes</b> – EVC may serve as CCS Manager. Must appoint other people as Tabulation Supervisor and Presiding Judge, and clerks/assistants, if needed. (Ch. 127)

NOTE: Early Voting Clerk may be an employee of political subdivision, and employee of a candidate, e.g. school board trustees are candidates and appointing authority. Early Voting Clerk should not be a candidate.





# Early Voting Officials

Role A	Role B	Okay?
Deputy Early Voting Clerk	Election Judge/Alternate Judge	<b>Yes</b> – Unless needed to assist EVC on election day with early voting duties (83.011), or appointed to EVBB under 87.004
Deputy Early Voting Clerk	Election Clerk	<b>Yes</b> – Unless needed to assist EVC on election day with early voting duties (83.011)
Deputy Early Voting Clerk	EVBB Judge/Member	<b>Inadvisable</b> – If duties conflict in scope and time for performance, e.g. mail ballot work.
Deputy Early Voting Clerk	Signature Verification	<b>Inadvisable</b> – If duties conflict in scope and time for performance, e.g. mail ballot work.
Deputy Early Voting Clerk	Central Counting Station	<b>Yes</b> – Deputy EVC may serve as CCS Manager, but must appoint other people as Tabulation Supervisor and Presiding Judge. (Ch. 127)
Deputy Early Voting Clerk	Employee of Political Subdivision	<b>Yes</b> – if approved by governing body (83.034)
Deputy Early Voting Clerk	Candidate/Officeholder	<b>No</b> – per eligibility requirements of a presiding judge. (Ch. 32)
Deputy Early Voting Clerk	Employee of Candidate	<b>Yes</b> – if early voting clerk is a candidate – generally applies to county clerks. (83.032)
Deputy Early Voting Clerk	Relative of Candidate	<b>No</b> – per eligibility requirements of a presiding judge if within 2 <sup>nd</sup> degree. (Ch. 32)
Deputy Early Voting Clerk	Campaign Employee – Manager or Treasurer	<b>No</b> – per eligibility requirements of a presiding judge. (Ch. 32)

# Early Voting Ballot Board

Role A	Role B	Okay?
Early Voting Ballot Board Judge/Member	Election Judge/Alternate Judge	<b>Yes</b> – Authority order election may direct that one precinct’s election officers also serve as the ballot board. Presiding judge of precinct also presiding judge of EVBB. (87.004)
Early Voting Ballot Board Judge/Member	Election Clerk	<b>Yes</b> – See above. (87.004)
Early Voting Ballot Board Judge/Member	Early Voting Official	<b>Inadvisable</b> – If duties conflict in scope and time for performance, e.g. mail ballot work for Deputy EVC.
Early Voting Ballot Board Judge/Member	Signature Verification	<b>No</b> - Conflicts with role on early voting ballot board. (87.027)
Early Voting Ballot Board Judge/Member	Central Counting Station	<b>Maybe</b> – If no conflicts with timing of work on ballot board. (87.027)
Early Voting Ballot Board Judge/Member	Employee of Political Subdivision	<b>No</b> – per eligibility requirements of a presiding judge. (Ch. 32)
Early Voting Ballot Board Judge/Member	Candidate/Officeholder	<b>No</b> – per eligibility requirements of a presiding judge. (Ch. 32)
Early Voting Ballot Board Judge/Member	Employee of Candidate	<b>No</b> – per eligibility requirements of a presiding judge. (Ch. 32)
Early Voting Ballot Board Judge/Member	Relative of Candidate	<b>No</b> – per eligibility requirements of a presiding judge if within 2 <sup>nd</sup> degree. (Ch. 32)
Early Voting Ballot Board Judge/Member	Campaign Employee – Manager or Treasurer	<b>No</b> – per eligibility requirements of a presiding judge. (Ch. 32)

# Signature Verification Committee

Role A	Role B	Okay?
Signature Verification Committee Member	Election Judge/Alternate Judge	<b>Yes</b> – If no conflicts with timing of work on signature verification committee (87.027), or appointed to EVBB under 87.004.
Signature Verification Committee Member	Election Clerk	<b>Yes</b> – If no conflicts with timing of work on signature verification committee (87.027), or appointed to EVBB under 87.004.
Signature Verification Committee Member	Early Voting Official	<b>Inadvisable</b> – If duties conflict in scope and time for performance, e.g. mail ballot work for Deputy EVC.
Signature Verification Committee Member	Early Voting Ballot Board Judge/Member	<b>No</b> - Conflicts with role on early voting ballot board. (87.027)
Signature Verification Committee Member	Central Counting Station	<b>Maybe</b> – If no conflicts with timing of work on ballot board.
Signature Verification Committee Member	Employee of Political Subdivision	<b>Yes</b> – no requirement stated in the Election Code, but <b>inadvisable</b> if employee of candidate.
Signature Verification Committee Member	Candidate/Officeholder	<b>Inadvisable</b> – May create perception of bias.
Signature Verification Committee Member	Employee of Candidate	<b>Inadvisable</b> – May create perception of bias.
Signature Verification Committee Member	Relative of Candidate	<b>Inadvisable</b> – May create perception of bias.
Signature Verification Committee Member	Campaign Employee – Manager or Treasurer	<b>Inadvisable</b> – May create perception of bias.

# Central Counting Station

- The roles and duties of the central counting station manager, tabulation supervisor, and presiding judge are distinct and should not be held by the same person:
  - Manager and Judge are required to consult on issues, e.g. duplication of ballots.
  - Manager and judge have time conflicts-manager may be sorting irregularly marked ballots while judge is determining if voter intent can be ascertained.
  - Tabulation supervisor should be very knowledgeable about the voting system and be able to process results while manager and judge are handling other duties.



# Central Counting Station

Role A	Role B	Okay?
Manager or Tabulation Supervisor	Election Judge/Alternate Judge	<b>Maybe</b> – If person has experience with voting systems, and roles do not conflict in time for performance. (Ch. 127)
Manager or Tabulation Supervisor	Election Clerk	<b>Maybe</b> – If person has experience with voting systems, and roles do not conflict in time for performance. (Ch. 127)
Manager or Tabulation Supervisor	Early Voting Official	<b>Yes</b> – Recommend EVC as Manager and a Deputy EVC as Tabulation Supervisor, if clerk owns and operates equipment.
Manager or Tabulation Supervisor	Early Voting Ballot Board Judge/Member	<b>No</b> - Duties conflict in scope of duties and time for performance. (Ch. 87 and 127)
Manager or Tabulation Supervisor	Signature Verification Committee	<b>No</b> - Duties conflict in scope of duties and time for performance. (Ch. 87 and 127)
Manager or Tabulation Supervisor	Employee of Political Subdivision	<b>Yes</b> – Allowed by Ch. 127.
Manager or Tabulation Supervisor	Candidate/Officeholder	<b>Maybe</b> - If Manager is general custodian of records, can also be a candidate. Tabulation Supervisor cannot be a candidate. Neither may be an elected public officer, except for general custodian of records
Manager or Tabulation Supervisor	Employee of Candidate	<b>No</b> – per eligibility requirements of a presiding judge. (Ch. 32)
Manager or Tabulation Supervisor	Relative of Candidate	<b>No</b> – per eligibility requirements of a presiding judge. (Ch. 32)
Manager or Tabulation Supervisor	Campaign Employee – Manager or Treasurer	<b>No</b> – per eligibility requirements of a presiding judge. (Ch. 32)

# Central Counting Station

Role A	Role B	Okay?
Presiding Judge of Central Count	Election Judge/Alternate Judge	<b>Inadvisable</b> – Duties conflict in scope of duties and time for performance. (Ch. 32)
Presiding Judge of Central Count	Election Clerk	<b>Yes</b> – If no conflicts with timing of work as a precinct clerk. (Ch. 32)
Presiding Judge of Central Count	Early Voting Official	<b>Yes</b> – If no conflicts with timing of work as a early voting clerk/deputy early voting clerk.
Presiding Judge of Central Count	Early Voting Ballot Board Judge/Member	<b>Yes</b> – If no conflicts with timing of work on early voting ballot board. (Ch. 87)
Presiding Judge of Central Count	Signature Verification Committee	<b>Yes</b> – If no conflicts with timing of work on signature verification committee.
Presiding Judge of Central Count	Employee of Political Subdivision	<b>Yes</b> – Per 127.005(a) may be employee or general custodian of election records.
Presiding Judge of Central Count	Candidate/Officeholder	<b>Maybe</b> - If Judge is general custodian of records, can also be a candidate. May not be an elected public officer, except for general custodian of records.
Presiding Judge of Central Count	Employee of Candidate	<b>No</b> – per eligibility requirements of a presiding judge. (Ch. 32)
Presiding Judge of Central Count	Relative of Candidate	<b>No</b> – per eligibility requirements of a presiding judge. (Ch. 32)
Presiding Judge of Central Count	Campaign Employee – Manager or Treasurer	<b>No</b> – per eligibility requirements of a presiding judge. (Ch. 32)



# Central Counting Station

Role A	Role B	Okay?
Assistant Tabulator	Election Judge/Alternate Judge	<b>Yes</b> – If person has experience with voting systems and duties do not conflict in time for performance. (Ch. 32 and 127)
Assistant Tabulator	Election Clerk	<b>Yes</b> – If person has experience with voting systems, and duties do not conflict in time for performance. (Ch. 127)
Assistant Tabulator	Early Voting Official	<b>Yes</b> – Recommend a deputy early voting clerk serving as assistant tabulator.
Assistant Tabulator	Early Voting Ballot Board Judge/Member	<b>Yes</b> – If person has experience with voting systems, and duties do not conflict in time for performance.
Assistant Tabulator	Signature Verification Committee Member	<b>Yes</b> – If person has experience with voting systems, and duties do not conflict in time for performance.
Assistant Tabulator	Employee of Political Subdivision	<b>Yes</b> – per 127.004(c)
Assistant Tabulator	Candidate/Officeholder	<b>Inadvisable</b> – May create perception of bias.
Assistant Tabulator	Employee of Candidate	<b>Inadvisable</b> – May create perception of bias.
Assistant Tabulator	Relative of Candidate	<b>Inadvisable</b> – May create perception of bias.
Assistant Tabulator	Campaign Employee – Manager or Treasurer	<b>Inadvisable</b> – May create perception of bias.

# Central Counting Station

Role A	Role B	Okay?
Central Count Clerk	Election Judge/Alternate Judge	<b>Yes</b> – If no conflict in time for performance. (Ch. 32 and 127)
Central Count Clerk	Election Clerk	<b>Yes</b> – If duties not conflict in time for performance. (Ch. 32 and 127)
Central Count Clerk	Early Voting Official	<b>Inadvisable</b> – Duties conflict in time for performance.
Central Count Clerk	Early Voting Ballot Board Judge/Member	<b>Inadvisable</b> – Duties conflict in time for performance. (Ch. 87)
Central Count Clerk	Signature Verification Committee Member	<b>Inadvisable</b> – Duties conflict in time for performance.
Central Count Clerk	Employee of Political Subdivision	<b>Yes</b> – Per 127.006(b) may be employee, general custodian of election records, or employee of general custodian.
Central Count Clerk	Candidate/Officeholder	<b>No</b> – per eligibility requirements of a clerk. (Ch. 32)
Central Count Clerk	Employee of Candidate	<b>No</b> – per eligibility requirements of a clerk. (Ch. 32)
Central Count Clerk	Relative of Candidate	<b>No</b> – per eligibility requirements of a clerk. (Ch. 32)
Central Count Clerk	Campaign Employee – Manager or Treasurer	<b>No</b> – per eligibility requirements of a clerk. (Ch. 32)



# FAQs - Relatives of Candidates

**Q:** Can a person that is not related within the first or second degree of marriage or blood be appointed?

**A:** Yes, but we recommend being cautious in situations like these as there may be a perception of bias. We also recommend equal treatment among potential workers, e.g., if you allow one eligible relative of a candidate to work, you should allow another eligible relative of different candidate.



# FAQs - Campaign Staff/Supporters

**Q:** Can a person that works on a candidate's campaign but is not the campaign manager or treasurer be appointed?

**A:** Yes, but we recommend being cautious in situations like these as there may be a perception of bias. We also recommend equal treatment among potential workers.



# Training Requirements



# Training Requirements

- Election Judges should be trained on appropriate procedures for the polling place.
  - Election judges and clerks must be trained on the accepting and handling of voter identification.
  - You may access our voter ID training on our website.
- Political subdivisions may use online training developed by the SOS. May conduct training jointly with other political subdivisions.
- May attend county's training session.



# Training Requirements

- **NEW LAW:** House Bill 1632 (88th Leg., R.S., 2023) amended Chapters 32, 87, and 127 of the Code, effective September 1, 2023, to require the Secretary of State to develop materials for a standardized curriculum for online training in election law and procedure, including a published handbook, made available on the internet website of the SOS, free of charge, for election judges and members of an early voting ballot board, signature verification committee, and central counting station.



# Compensation for Election Workers and Officials



# Compensation

- **NEW LAW:** Senate Bill 1052 (88th Leg., R.S., 2023) amended Section 32.091 of the Code, effective September 1, 2023, to provide that a judge or clerk may not be paid for more than two hours of work before the polls open, except for payment made for work under Section 62.014(c) of the Code.



# Compensation

Position	Compensation	Additional Compensation
Election Judge and Clerks	-Compensated at rate set by political subdivision, but must at least be federal minimum wage. Limits on payment for work before/after polls close. (32.091 & 32.092)	N/A
Early Voting Clerk/ Deputy Early Voting Clerk	-If not county clerk or city secretary or employee, entitled to compensation at rate set by political subdivision. (83.052)	-If county clerk or city secretary, not entitled to additional compensation if serving as EVC (83.051) -If employee of political subdivision, may be appointed without additional compensation. (83.053)
Early Voting Ballot Board Judge and Members	-Compensated at same rate as election judges. If the work is less than 10 hours, may be paid up to 10 hours. (87.005)	-EVBB is also serving as election judges/clerks, not entitled to additional compensation. -The presiding judge of an early voting ballot board may be compensated at a higher rate at the discretion of the appropriate authority. (87.005)
Signature Verification Committee Member	-Code does not specify, recommend same rate as election judges.	N/A
Central Counting Station Manager	-Compensated at rate set by political subdivision. (127.002)	-If also an employee, may be paid additional compensation. (127.002)
Tabulation Supervisor	-Compensated at rate set by political subdivision. (127.003)	-If also an employee, may be paid additional compensation. (127.003)
Assistants to the Tabulation Supervisor	-Compensated at rate set by political subdivision. (127.004)	-If also an employee, may be paid additional compensation. (127.004)
Judge of Central Count	-Compensated at same rate as judges, but is entitled to minimum of 5 hours. (127.005)	N/A
Clerk of Central Count	-Compensated at same rate as clerks, but is entitled to minimum of 3 hours. (127.006)	N/A



# Vacancies for Judges and Clerks



# Vacancy for Election

- Occurs when a presiding judge cannot serve for that election. Example: The judge has an illness that prevents them from serving on election day.
- What happens? Alternate judge will serve as presiding judge and appoint additional clerks as needed. (32.001)



# Emergency Appointment

- **ONLY** happens if presiding **AND** alternate cannot serve on election day. Example: Presiding judge is sick, and alternate has to leave town for a family emergency. (32.002)
- What happens? If after the 20<sup>th</sup> day before election or 15<sup>th</sup> day before special election, appointing authority appoints a replacement judge. If appointing authority is unavailable, can be authority for distributing supplies.



# Questions?

- Don't forget to print out all our great charts!!!
  - Or view them on our website
- Please feel free to contact us with any questions: [elections@sos.texas.gov](mailto:elections@sos.texas.gov)
- Thank you for your time and attention

