

# **Secretary of State Office Strategic Plan 2023 - 2027**



**June 1, 2022**

# AGENCY STRATEGIC PLAN

Fiscal Years 2023 - 2027

By

Office of the Secretary of State

**June 1, 2022**

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**AGENCY MISSION**

The mission of the Office of the Secretary of State is to provide a secure and accessible repository for public, business and commercial records and to receive, compile and provide public information. In addition, our mission is to ensure the proper conduct of elections, to maintain the official statewide list of registered voters, to authorize the creation and registration of business entities, to publish state government rules and notices, and to serve as liaison to the Governor on Texas-Mexico border issues. We serve as Chief International Protocol Officer for the State. We assist our staff with personal and professional development, as well as, promote a diverse workforce and effective use of resources.

**AGENCY PHILOSOPHY**

The Office of the Secretary of State will provide accurate, reliable and timely services. We will always act in accordance with the highest standards of ethics, accountability, efficiency and openness. We approach our activities with a keen sense of purpose and responsibility.

## AGENCY GOALS & ACTION PLANS

### GOAL I: INFORMATION MANAGEMENT

Provide and process information efficiently; Enforce Laws/Rules.

Process business and governmental transactions in compliance with state laws efficiently and effectively. Ensure that Texans and other stakeholders are effectively and efficiently served by competent and professional staff who are customer oriented. Ensure that documents are timely processed in a manner that maximizes efficiencies, optimizes Agency resources, and utilizes advancements in technology. Respond to requests for copies and for certification of Agency records. Provide accurate, reliable, and timely access to information. Take actions to ensure compliance with laws and rules.

### OVERVIEW

Goal I incorporates the programs operated and administered by the Business & Public Filings Division (the “Division”) of the Secretary of State’s Office. The Division is the largest division within the Agency and is comprised of the Business and Commercial Filings Section and the Government Filings Section.

- The Business and Commercial Filings Section reviews and processes business and commercial documents required or permitted by law to be filed with the Secretary of State. The section also reviews and processes registration filings related to certain regulated occupations and businesses, such as athlete agents, health spas, and automobile clubs.
- The Government Filings Section of the Division reviews and processes filings made by state officials, authenticates documents, accepts service of process, reviews and processes applications for appointment and commissions Texas notaries public.
- The Government Filings Section publishes the *Texas Register*, a weekly journal of state agency rulemaking for Texas. Information published in the *Texas Register* includes proposed, adopted, withdrawn and emergency rule actions, notices of governor appointments, attorney general opinions, and miscellaneous documents such as requests for proposals. The section also codifies the rulemaking actions into the *Texas Administrative Code*, and publishes laws passed by the legislature.
- The Division provides accurate and reliable information regarding these records, and provides copies of, as well as official certifications relating to such records, on a timely basis.
- The Division ensures compliance with state laws and agency rules in a fair and consistent manner. The Division provides educational materials to notaries public. The Division’s investigator and legal team process complaints brought by the public relating to a notary’s notarial actions. The legal team takes administrative

action to discipline notaries public, including the suspension or revocation of a notary's commission. The legal team also investigates and files administrative actions for violations of the Athlete Agent Act.

- The percentage of documents and public information requests handled within three days is a measure of the efficiency and timeliness of the Division in responding to requests to file business, commercial, and public documents and to provide public information to the legal and business communities and general public.

## ACTIONS REQUIRED TO ACHIEVE GOAL

### **Specific Action Items to Achieve Goal I:**

- Leverage technology to ensure cost-efficient and effective Agency operations that improve customer service.
  - The computer system currently used by the Division, the Business Entity and Secured Transactions system, was designed in the late 1990s and deployed in 2001, and has reached its end of life. A next generation system is needed that leverages current technology to implement a system that will enhance efficiencies, streamline processes, and reduce costs. The Agency was allocated \$200,000 by the Legislature for purposes of obtaining a study regarding a redesign and/or replacement of the current legacy system.
- Review and monitor current workflow and other processes to ensure optimization of resources.
- Increase the percentage of business filing transactions submitted and processed electronically by at least 8% by fiscal year 2022 by: enhancing current electronic document transactions; expanding the types of documents made available on SOSDirect, and developing and deploying new modes for electronically transmitting documents to the Agency, such as SOSUpload.
- Revisions and improvements were made to the Agency's website in fiscal year 2020 and 2021. The Agency continues to make further enhancements to the Division's web pages that will ensure a better understanding of Agency processes and compliance requirements; facilitate the user's navigation to relevant Agency forms and web content; and improve access to information.
- Educate customers on the improved convenience and faster service available to customers using online and electronic applications.
- Maintain a competent, skilled, and highly trained workforce that views public service as a career by utilizing staff development, extensive cross-training, succession planning, and employing other retention strategies.
- Revise, enhance, and improve published educational materials and increase Division outreach efforts made to educate commissioned notaries, athletes, and athlete agents to ensure compliance with state laws and rules and to reduce the number of complaints and disciplinary actions taken.

**Objective: Accountability to tax and fee payers of Texas.**

- Ensure customers have access to online forms and instructions for completion and submission of most common business and commercial filing transactions.
- Ensure website provides answers to stakeholders' most frequent questions.
- Ensure website provides stakeholders who are regulated by the Agency with timely and useful information regarding any changes to laws or rules relating to registration and compliance.
- Conduct educational outreach efforts for Texas notaries public to ensure a notary employs best practices and performs notarial acts in compliance with statutory requirements.
- Conduct educational outreach efforts on laws governing athlete agents through participation at conferences across the state and in meetings with stakeholders to ensure compliance.

**Objective: Efficiency - maximum results are produced with no waste of taxpayer funds through the identification and elimination of redundant and non-core functions.**

- Develop and utilize electronic means of providing notice to and communicating with service populations and stakeholders, when appropriate.
- Provide customers with user-friendly online options to submit documents and certification requests electronically that reduce processing times for the customer and optimize agency resources.
- Implement systems and enhance applications that leverage technology to more efficiently accept electronic payment for services, transmit and process documents and streamline the delivery of processed paper filings and orders to submitters.

**Objective: Effectiveness - successfully fulfilling core functions, achieving performance measures, and implementing plans for continuous improvement.**

- The Division's ability to fulfill its core functions, meet its performance measures, and be responsive to the needs of its service populations is evidenced by the percentage of business, commercial, and public documents and public information requests that are processed within three business days of receipt. However, there is a continuous demand to improve services offered and to facilitate business and financial transactions in Texas in real time. To that end, the Division will:
- Review workflow procedures, evaluate user applications and system operations and technology to eliminate inefficiencies, lower costs, and streamline processes.

- Explore ways to automate or further automate certain administrative processes or procedures.
- Perform on-going reviews of document review worksheets, training manuals, and administrative policies and procedures to ensure continued effectiveness, relevance, and accuracy.
- Provide staff with adequate hardware, tools and software applications to enable workforce to efficiently perform their essential job duties on site and/or remotely, as applicable.
- Provide employees with continuing formal and informal training and cross-training opportunities to ensure customer needs are met during peak business hours and peak filing periods.

**Objective: Provide excellent customer service.**

- Maintain a business call center that is sufficiently staffed and technologically equipped to handle a high volume of calls for business and commercial information and to respond to customer needs in an efficient and timely manner.
- Respond promptly to customer and stakeholder inquiries and provide timely resolutions to complaints.
- Review and enhance the Agency's website to ensure it is user-centric, provides easy access to appropriate agency forms and services, and provides answers to the most common and frequently asked questions.
- Create tutorials to teach the general public how to submit documents and orders online through SOSDirect to encourage and promote use of the system.
- Provide high quality training regarding customer service expectations to staff.

**Objective: Transparency - agency actions may be understood by any Texan.**

- Ensure that the wealth of information provided on the Agency's website for stakeholders and serviced populations ([www.sos.texas.gov](http://www.sos.texas.gov)) is accessible, current, and relevant.
- Ensure that the Division provides web content, official notices, and information and instructions in plain language.
- Provide timely notice of statutory and administrative rule changes to affected stakeholders on relevant Agency web pages.

## OTHER CONSIDERATIONS

### I. Service Population Demographics

The Agency serves all geographic regions of the state and does not maintain field offices from which the Agency may provide services in other regions. Historically, most of the Agency's statutory duties have been carried out through the mail service so all regions of the state have essentially the same level of service. In person counter-service is provided at the Agency's office location in Austin for transactions that must be processed in the most expeditious manner possible. As more transactions are made available for submission and processing electronically, services to the more remote regions will equal services available to persons in the Austin area.

With respect to the service population comprised of active business entities that are created or registered with the Business & Commercial Filing Section, there has been a significant shift in the number of active domestic limited liability companies. The number of active limited liability companies has been steadily increasing since 2018, including a 17 percent increase from 2020 to 2021.

<b>Service Populations</b>	<b>2020</b>	<b>2021</b>
Active State Bar Attorneys	106,591	108,816
Notaries Public	444,000	462,400
For-profit Corporations	367,349	363,404
Professional Corporations	17,402	17,069
Professional Associations	18,522	17,872
Nonprofit Corporations	166,519	171,562
Limited Partnerships	128,079	127,958
Limited Liability Companies	1,321,371	1,547,639
Limited Liability Partnerships	4,012	4,030
Foreign For-profit Corporations	72,099	74,448
Foreign Limited Liability Companies	88,974	98,398
Foreign Limited Partnerships	9,538	10,018
Foreign Limited Liability Partnerships	436	449
Texas Population	29.1 million	29.5 million
All registered voters	16,955,519	16,995,911
Texas Register Agency Liaisons	1,450	1,450

## II. Technological

### A. Impact of Technology on Current Agency Operations

#### 1. Infrastructure

Software development is done in both the Microsoft .NET and Enterprise Java software development environments.

The Agency participates in the DIR Data Center Services Program using a combination of cloud computing and state data center resources. This initiative has and will continue to dramatically shape the IT infrastructure of the agency with an increased focus on Software as a Service.

The Agency has replaced the majority of its existing desktop computers with laptops. Election related software will evolve through upgrades as part of normal technology lifecycle planning.

The core business and secured transactions filing system was deployed in 2001. While incremental technology upgrades have been incorporated into this system to ensure that it remains reliable and supported, the basic technical architecture of the system has reached end of life. The Agency was allocated \$18.1M by the 87th Legislature for purposes of replacing legacy systems. The first phase of the information resources project is in progress including the following:

- Established Steering Committee
- Hired personnel to perform multiple roles to support standing up the program through an Agile procurement
- Published a Request for Information on the Comptroller's Electronic State Business Daily
- Published Business Systems Modernization survey
- Deployment of Business-focused chat bot

## 2. Operational Functions

### *Business and Commercial Transactions*

Since bringing up the SOSDirect online system in 2001, the Agency has continued adding to the list of services that are now being offered to customers of the Business and Commercial Filings Section through SOSDirect.

There are twenty-eight (28) different types of business entity filings available through SOSDirect, including formation filings, change filings, terminations, reinstatements, name change amendments and periodic reports. In addition, SOSUpload permits the electronic submission of nearly one hundred (100) types of business entity filings, including filings that are not currently available for submission through the SOSDirect system. Customers also may file both initial UCC financing statements and amendment filings over the web. Customers may perform searches and place orders for copies and certificates using SOSDirect and have access to them delivered by email. Images of documents are viewable from the web giving customers the ability to print their own plain copies.

A number of high-volume filers use XML Web Services and SOSDirect to submit business and Uniform Commercial Code (UCC) filings to the Agency. Not only does electronic filing maximize Agency resources; it enhances customer service by improving turnaround time and accuracy. In fiscal year 2021, approximately 84.3% of all UCC filings and 95.9% of UCC orders were submitted and processed via SOSDirect and XML Web Services. That same fiscal year, approximately 96.1% of business copy and certificate orders were processed through SOSDirect, and approximately 86.3% of domestic formation filings were processed using SOSDirect.

To improve customer service, the Agency added the Business Filing Tracker to the Agency's web site in December 2014. The online search tool allows the public to check on the processing status of a business entity document submitted for filing within the past 90 days. The Agency also has an online service known as UCC Filing Tracker that permits customers to track the progress of a UCC financing statement submission to the Agency.

Working in conjunction with the Comptroller of Public Accounts, the Agency improved customer service in fiscal year 2020 by changing the process used to update certain business entity managerial information contained in the Public Information Report, a document filed annually with the Comptroller. The Agency altered its processes to import the electronic managerial information directly from the Public Information Reports sent by the Comptroller. This process has improved customer service by shortening the turnaround time for making updates to a reporting entity's managerial information.

Several of the legacy databases utilized by the Registrations Unit within the Business and Commercial Filings Section have been converted from Microsoft Access to Oracle allowing for the generation of reports, streamlining of procedures and providing a more reliable platform for searching and maintaining records. However, conversion of other legacy Access databases is an ongoing project for the Agency.

#### *Government Filings-Notary Public Transactions and Compliance*

The Agency's website allows a commissioned notary public to request a duplicate commission and update mailing address information. Additionally, the website enables the public to perform a notary search to provide information about a notary's commission.

The Agency's eNotary web services system permits bonding companies to electronically submit an individual's completed application for appointment as a notary public. Currently, twelve bonding companies utilize the system. Commissions issued to notaries who file electronically are returned to the notary by email, if possible, resulting in savings in both postage and printing costs.

Notary Public online training tools have been revised, updated, and enhanced with the release of a new notary educational video that is more accessible to users and provides stakeholders with the information needed to remain in compliance with state laws and rules relating to notarial acts.

## *Government Filings-Document Publishing*

State agency rules, meeting notices and other miscellaneous filings such as Gubernatorial Executive Orders and Proclamations are readily accessible via a searchable database and email notification service. Lexis-Nexis receives electronic updates of *Texas Register* issues and the Texas Administrative Code. Another commercial vendor purchases daily open meeting agenda files. Preparation of cumulative *Texas Register* quarterly and annual indexes is automated, making use of the same ArborText electronic publishing software employed to produce the *Texas Register* issues each week. A re-write of the Texas Register/Administrative Code database to improve internet access to rules and to simplify filing for state and regional agencies was completed in 2014 and enhanced in 2018.

### **B. Impact of Anticipated Technological Advances**

#### 1. Infrastructure

With growing awareness of the increased threat to information security, the agency has devoted considerable effort and resources to address this risk. The agency's information security staff conducts regular risk assessments and penetration tests against the agency information resources. The agency also maintains compliance with the purchase card industry data security standards.

The Agency is taking advantage of the scalability and efficiency of cloud computing environments when business and security considerations allow. Computing resources will continue to be evaluated to ensure adoption of technological advances consistent with the agency's business needs.

The Agency is strengthening its IT security awareness by reinforcing risk-based security practices, including continuous prediction, prevention, detection, and response to cybersecurity threats. Enhancing data security and privacy with strong controls based on risk and legal requirements and identifying opportunities to deploy emerging technologies that improve the day-to-day delivery of government services.

## 2. Operational Functions

The Agency developed a new online notary application system, which was deployed on July 1, 2018, as mandated by HB 1217, (85<sup>th</sup> Leg., R.S.). HB 1217 amended chapter 406 of the Government Code to authorize the performance of remote notarizations by a Texas online notary public. An online notary public is authorized to perform remote notarizations within defined guidelines using video and audio conference technology. The amendments to chapter 406 established a separate commissioning process for an online notary public. The application for appointment to be an online notary public is required to be submitted to the Agency electronically. The online application system was developed in-house using existing resources for the purpose of appointing and commissioning a Texas notary as an online notary public.

The possibility of delivering apostilles electronically is under review. In addition the Agency continues to explore the benefits of using OCR to streamline certain data entry processes.

### C. Degree of Agency Automation

A combination of laptops, desktops and smart devices are deployed to all agency personnel depending on each employee's job responsibilities. Further automation is needed in areas where manual paper processes are still utilized.

## III. Economic Variables

### A. Identification of Key Economic Variables

General economic variables, such as gross domestic product, interest rates, consumer price level, and inflation may affect demands placed on the Agency by its customers. It is difficult to evaluate the impact these factors have on the business and commercial filings made with the Agency and the requests for access to information relating to such filings. We are not able to identify a direct correlation between the economic variables and the overall demand for services. In addition to economic variables, demand for Agency services may be affected by changes in state laws, such as election and business organization statutes; increases in filing fees; and general population growth. However, the formation of new entities, particularly

limited liability companies, increased significantly since the end of fiscal year 2020. It appears this trend will continue through the completion of the current fiscal year. Economic variables do not affect the Agency's election duties.

**B. Extent to Which Service Populations are Affected by Economic Conditions**

Demand for Agency services increases during periods of the growth and expansion of business. This demand may be reflected by increases in the formation of new corporations, limited partnerships and limited liability companies, as well as the qualification of out-of-state entities to transact business in Texas. Also, demand for Agency services is greater when an increase of commercial lending and other commercial transactions occurs. This is evidenced by more filings of financing statements, and an increase in the number of requests for information pertinent to loan transactions, real estate closings, business licensing activities and other commercial ventures.

Demand for Agency services also may increase during recessionary periods. Business failures result in forfeitures, terminations, mergers and withdrawals of business entities. Mergers, acquisitions, and failures of commercial lending institutions require assignment of security interests, and continuations of existing security interests. Recessionary periods also may see a rise in filings of federal liens, and an increase in requests for commercial information. In addition, consumers request more information about business entities before entering into a transaction with an entity. Litigation escalates during periods of business failures, resulting in increased requests for information about business entities, requests for certified copies and frequent use of the Secretary of State as an agent for service of process.

**C. Expected Future Economic Conditions and Impact on Agency and Service Populations**

Demand for some Agency services should increase regardless of state and national economic conditions. Demand for business and commercial data and information appears to continue its upward spiral. The demand for services may be more directly related to the growth in the state's population than to any particular economic condition. The Agency anticipates that the demand for some services will continue to increase as the population of Texas continues to grow.

The Agency anticipates that the new services and systems deployed in fiscal year 2020 will continue to be enhanced in fiscal years 2023 to 2027 in order to reduce the volume of paper transactions and encourage and facilitate electronic submissions and filings to the Agency.

**D. Agency Response to Changing Economic Conditions**

As economic conditions change, the Agency reassigns personnel from areas where workload has decreased to areas where workload has escalated. However, the Agency's ability to reassign personnel is extremely limited as the service populations and workloads have significantly increased since 2020, making the implementation of this strategy untenable. Additionally, maintaining sufficient staffing levels within the affected areas also has proved challenging, as further detailed and discussed in Schedule F (Anticipated Increase/Decrease in Number of Employees Needed to Do the Work).

## **GOAL II: ADMINISTER ELECTION LAWS**

This goal maintains Uniformity and Integrity of Elections, to oversee the Election process. Provide guidance and interpretation of election laws to 100 percent of election officials each election year; publish 100 percent of constitutional amendments; and reimburse counties for primary election costs and voter registration postage within one year.

### **ACTIONS REQUIRED TO ACHIEVE GOAL**

- Provide properly trained election instructors to carry out the mission of managing statewide elections.
- Provide Polling places with Accessible Voting Devices.
- Distribute funds to eligible recipients as authorized by law.
- Publish Constitutional Amendments.
- Administer the Federal Help America Vote Act (HAVA)

### **GOALS AND ACTION ITEMS SUPPORT STATEWIDE OBJECTIVES**

Accountable to tax and fee payers of Texas

- The Secretary of State's Office is committed to providing proper training to election instructors to enable them to carry out the agency mission of managing statewide elections properly.
- The Secretary of State's Office is committed to providing Accessible Voting Devices.
- The Secretary of State's Office is committed to providing timely payments to eligible recipients.
- Provide clear, accurate information to the public in a timely manner.

Efficient such that maximum results are produced with a minimum waste of taxpayer funds, including through the elimination of redundant and non-core functions.

- SOS will review and streamline internal procedures to eliminate unnecessary tasks.
- SOS will review staffing resources and levels to assess workload needs.

Effective in successfully fulfilling core functions, measuring success in achieving performance measures and implementing plans to continuously improve.

- The percentage of Election Authorities Assisted or Advised is a measure of the goals effectiveness in reaching this population. The number of election authorities includes the total number of county clerks, county judges, election administrators, voter registrars, state and county political party chairs, and identified local officials for cities, schools, and other political subdivisions.
- Maintain a prioritized focus on providing information to the public in a timely manner.

## Providing excellent customer service

- To support this objective SOS will continue to provide accurate, reliable and timely access to information to the public.
- Communicate the division's ability to provide exceptional customer service through professional development.
- Enhance use of the website and technology as a tool to have information accessible to the public.

## Transparent such that agency actions can be understood by any Texan

- The agency maintains a website with a wealth of information for election officials ([www.sos.texas.gov](http://www.sos.texas.gov)), such as voting locations, voting systems, election seminars, elections officials and election results as well as various forms, resources and legal library. The agency also maintains a bilingual website for voters ([www.votetexas.gov](http://www.votetexas.gov)) on which the agency disseminates information regarding the requirements for voting as well as information for casting ballots early by mail, early in person or by overseas and military voters.
- Communicate clearly with the public so that the process is accessible and clear.

## OTHER CONSIDERATIONS

### ADMINISTER ELECTION LAWS

#### Impact of Federal Statutes/Regulations

#### Historical Role of Federal Involvement

The primary federal statute affecting the Agency is the federal Voting Rights Act of 1965. Section 5 of the Voting Rights Act requires that a change in any standard, practice, or procedure with respect to voting be submitted to the U.S. Department of Justice ("DOJ") for preclearance. The Agency prepared "submissions" to be sent to DOJ, requesting approval or preclearance for any changes in state election law or any new law, concerning elections. Texas became covered by Section 5 of the Voting Rights Act in 1975 and had an effective working relationship with the DOJ under Section 5. On June 25, 2013, the U.S. Supreme Court invalidated section 4 of the Voting Rights Act which had the effect of ending the requirement that Texas pre-clear election law changes. However, there have been, and may continue to be, lawsuits in federal court seeking to "bail in" Texas to pre-clearance requirements under Section 3 of the Voting Rights Act.

Texas must adhere to the language provisions of the federal Voting Rights Act. These require all voter facing election materials to be furnished both in English and in Spanish. In addition, Texas has an agreement with the Department of Justice that in order to comply with this requirement, the Agency sends to each Spanish surnamed voter in Texas a notice of all constitutional amendment elections and also a brief explanatory statement, in Spanish, of each proposition appearing on the ballot.

In 1993, Congress passed the National Voter Registration Act (“NVRA”). The NVRA requires a uniform mail-in registration program; requires certain state agencies to provide voter registration applications to customers; and requires local election officials to keep registered voters on the registration rolls for a longer period of time after receiving evidence that they have moved. The Agency adopted detailed administrative rules to implement the NVRA, which were then adopted into state law by the Legislature in 1995. The Agency continues to educate county and state officials about their responsibilities under the NVRA. The NVRA also requires various state agencies in Texas to offer voter registration to their clients and makes our Agency the coordinator for these voter registration activities. We have worked closely with the state’s health and human services agencies, the Department of Public Safety, public libraries, and other agencies in our role as NVRA coordinator.

In 2002, Congress passed the Help America Vote Act (“HAVA”). HAVA was a direct response to some of the problems exposed in the 2000 presidential elections and it moved several key election functions previously administered at the local level to the state. As part of this state centralization, Congress mandated that the State must maintain the official list of registered voters in an electronic form and must validate the identification number provided on a voter registration application through the Department of Public Safety (driver’s license, personal identification, or last four digits of the social security number). Another significant HAVA mandate concerns upgrading voting systems standards and the requirement to provide a voting unit accessible to voters with disabilities in every polling place in the state by January 2006. Congress appropriated federal grant money to partially fund these mandates and the Secretary of State administered an online grant administration program to ensure that counties received prompt funds and fully complied with the federal mandates. The funds allocated to the counties under this grant program have been expended. The mandates in HAVA continue and Texas and its counties will have to pay in the future for voting system upgrades as well as to maintain the electronic voter registration database.

In 2018 funds authorized but unappropriated in the original HAVA were appropriated under Title 1 of HAVA and have been distributed to the states on the conditions that the money be spent primarily on enhancing the security of election systems and that the state match the spending with a 5% match on top of the appropriated amount. This funding is generally referred to as HAVA election security grant funds.

A second round of HAVA election security money was appropriated in December 2019 to assist states and counties with election security improvements. This appropriation required a 20% state match. The Agency has sub granted the bulk of this money directly to the counties which supply the 20% matching funds.

In March 2020, the Congress appropriated funds to assist state and county election officials with making accommodations for holding elections during the coronavirus pandemic through the CARES Act. Again, these funds required a 20% match by the state or counties. The Agency made these federal funds available to the counties using the county chapter 19 allocation as the match or other county funds as chosen by the county. None of these funds were used at the state level and there will be no need for a state match. Any funds unused by the counties will be returned to the Election Assistance Commission on behalf of the federal government. The Agency is in the

process of closing out the sub-grants with the counties and will then close out the grant with the federal government.

The state received additional HAVA election security funds in April 2022, which requires a 20% match. The state intends to use money appropriated by the 87th Legislature for reimbursement for auditable voting machines (Rider 19 of the Agency's budget for the 2022-2023 biennium) to satisfy the matching requirement. The Agency plans to use the federal portion of the HAVA grant on the acquisition and maintenance of the next version of its statewide electronic voter registration system that was originally mandated by HAVA in 2002.

In 2021, the 87th Legislature adopted Section 129.003 of the Texas Election Code relating to the conversion of voting systems into auditable voting systems. Section 129.003 authorizes the reimbursement of such conversions in certain circumstances:

*(e) An authority that purchased a voting system other than an auditable voting system after September 1, 2014, and before September 1, 2021, may use available federal funding and, if federal funding is not available, available state funding to convert the purchased voting system into an auditable voting system in accordance with the following schedule:*

*(1) if the voting system was converted into an auditable voting system not later than the election taking place November 8, 2022, the authority is eligible to have 100 percent of the cost of conversion reimbursed under this section; and*

*(2) if the authority is not eligible for a 100 percent reimbursement of cost under Subdivision (1) and the voting system was converted into an auditable voting system not later than the election taking place November 3, 2026, the authority is eligible to have 50 percent of the cost of conversion reimbursed under this section.*

In 2009, Congress passed the Military and Overseas Voter Empowerment Act ("MOVE"). MOVE facilitates the process of voting for this population of voters. MOVE requires that the official ballot be emailed at the request of a military or overseas voter, but the voter must return the ballot by mail. In addition, MOVE requires the state, in cooperation with local entities, to develop a tracking system which would allow military and overseas voters a way to track the status of their ballot. The 82nd Legislature updated the election law calendar with the passage of SB 100 in order to comply with the requirements of the Federal MOVE Act. The Secretary of State adopted administrative rules and procedures to implement MOVE. We continue to work with the legislature and the counties regarding statutory changes to smooth out the impact to election officials and voters of this significant change to the election law calendar.

Widespread concerns about election systems security have arisen since the 2016 election. In January 2017, the U.S. Department of Homeland Security designated election infrastructure as critical infrastructure for the country. In addition, the Texas Lieutenant Governor formed a Senate Select Committee on Election Security. At the inaugural meeting of the Committee in February 2018, several members expressed concern over the lack of oversight by the SOS over county election officials. Using

federal funds appropriated under HAVA as mentioned above, the SOS has taken steps to evaluate the election security posture of all Texas counties and supply funds to remediate deficiencies. The agency has also increased the security of the voter registration database in a number of ways using this federal money. Finally, the agency initially used a portion of the federal funds to hire and train two election security trainers to assist the counties in complying with election security best practices as published by the agency. In 2021, the Legislature appropriated sufficient funds to transition the trainers to state funding and to hire three additional trainers. This funding was complementary to a new law requiring the Agency to have an official education training program for county election officials.

### Forensic Election Audit

To ensure Texas voters have confidence in our election system, the Agency announced a full forensic audit of the 2020 General Election in Dallas, Harris, Tarrant, and Collin counties. The purpose is to address issues county election officials may face that would undermine the integrity of Texas elections. This audit will be conducted in 2 phases, the first already being completed.

Phase 1 evaluated findings in four general categories:

- I. Completion of the statutorily required partial manual count of electronic voting system ballots;
- II. Completion of statutorily required Election Security Assessments (ESAs) and dedication of remediation funds to address any gaps in security;
- III. Maintaining the accuracy of the statewide voter registration database; and
- IV. Identifying potential non-U.S. citizens who are registered to vote in Texas and who cast a ballot in the November 2020 election, individuals registered in Texas and another state who cast more than one ballot in the November 2020 election, and potential votes cast in the name of deceased people.

Phase 2 has commenced and consists of a comprehensive election records examination to determine if election administration procedures were properly followed.

In accordance with Senate Bill 1 (87<sup>th</sup> Lg., 2<sup>nd</sup> C.S.), starting in 2022, the Forensic Audit Division will begin conducting randomized audits immediately after the uniform November election of an even-numbered year. It will be an audit of every election held during the previous two years in the 4 selected counties, which are chosen on criterion of 2 counties having a population of less than 300,000 and 2 counties having a population over 300,000.

### **GOAL III: INTERNATIONAL PROTOCOL**

Provide protocol services and representation on Border Issues and Mexican Affairs. Encourage cooperation on issues relating to Mexico and the border.

#### **ACTIONS REQUIRED TO ACHIEVE GOAL**

- Provide a central point of contact for national and international public officials, and business leaders, to meet and conduct business, with Texas governmental officials.
- Monitoring state and federal legislation affecting border issues and Texas-Mexico relations.
- Monitoring and advising the Governor's Office, and other agencies, on issues affecting Texas-Mexico relations.
- Working with Mexican federal, state and local officials, on issues affecting Texas, Mexico and the border region.

#### **GOALS AND ACTION ITEMS SUPPORT STATEWIDE OBJECTIVES**

Accountable to tax and fee payers of Texas

- The Secretary of State's Office is committed to being the central point of contact for public officials and business leaders to meet and conduct business with governmental officials.
- Provide clear, accurate information to the public in a timely manner.

Efficient such that maximum results are produced with a minimum waste of taxpayer funds, including through the elimination of redundant and non-core functions.

- Review and streamline internal procedures to eliminate unnecessary tasks.
- Review staffing resources and levels to assess workload needs.

Effective in successfully fulfilling core functions, measuring success in achieving performance measures and implementing plans to continuously improve.

- Attending events relating to border issues and Mexican affairs. These events include, but will not be limited to, meetings, conferences, teleconferences, and workshops.
- Monitoring, and participating, in these events to ensure that cooperation in the border region, and with Mexico, is effective and efficient.
- Planning, coordinating, moderating, facilitating and participating in meetings that are pertinent to border issues, Mexican affairs, and other international matters under agency purview.
- Fostering communication and collaboration between Texas state agencies dealing with projects in Mexico.

- Fostering and maintaining direct communication and collaboration with Mexican public officials, business leaders, and other international partners.
- Managing interest and inquiries from international private sector stakeholders and direct them or facilitate connection to the appropriate contact to meet their inquiry and interest in Texas.

#### Providing excellent customer service

- To support this objective SOS will continue to provide accurate, reliable and timely access to information to the public.
- Communicate the division's ability to provide exceptional customer service through professional development.
- Enhance use of the website and technology as a tool to have information accessible to the public.

#### Transparent such that agency actions can be understood by any Texan

- The agency maintains a wealth of information on its website ([www.sos.texas.gov](http://www.sos.texas.gov)). The website provides information and documents relating to Texas border issues and Mexican affairs, such as reports on border activity, interagency workgroup contacts, and international protocol information, among other issues.
- Communicate clearly with the public so that the process is accessible and easy to understand.

### OTHER CONSIDERATIONS

#### INTERNATIONAL PROTOCOL

##### Protocol and Border Division – Key Roles

- Accompanying the Governor and Secretary of State when meeting with Mexican and other International officials.
- Managing contact and meetings with the Governor's office and Secretary of State relating to international activities.
- Monitoring and advising the Governor's Office and other agencies on issues affecting Texas-Mexico relations.
- Working with Mexican federal, state and local officials on issues affecting Texas, Mexico and the border region.
- Representing the Governor at international meetings and in planning the Border Governors Conference.
- Monitoring state and federal legislation on border issues.

## **GOAL IV: INDIRECT ADMINISTRATION**

Provide responsible information relating to fiscal operations, human resources, procurement and IT services. Ensure that SOS performs and operates at the highest standards of accountability, transparency, compliance, professional conduct and ethics.

### **ACTIONS REQUIRED TO ACHIEVE GOAL**

- Adhere to principles of transparency, compliance and accountability.
- Ensure integrity of financial reporting and systems of internal control.
- Focus on efforts that support staff retention and succession planning.
- Monitor information technology security risk and develop mitigation strategies.
- Keep abreast of technological standards and processes to improve efficiency.

### **GOALS AND ACTION ITEMS SUPPORT STATEWIDE OBJECTIVES**

Accountable to tax and fee payers of Texas

- Provide data demonstrating effectiveness of financial goals.
- Provide clear, accurate information to the public and oversight agencies in a timely manner.

Efficient such that maximum results are produced with a minimum waste of taxpayer funds, including through the elimination of redundant and non-core functions.

- Streamline operations and develop programs to improve agency processes.
- Implement improvements noted or suggested in any internal or external audits.
- Review staffing resources and levels to assess workload needs.

Effective in successfully fulfilling core functions, measuring success in achieving performance measures and implementing plans to continuously improve.

- Continuously review internal processes and program applications for opportunities to further automate or enhance features using advancing technologies.
- Provide professional development and training to staff on a continuous basis.
- Invest in staff development to retain key staff and minimize turnover costs.

Providing excellent customer service

- To support this objective SOS will continue to provide accurate, reliable and timely access to information to the public.
- Communicate the division's ability to provide exceptional customer service through professional development.
- Enhance use of the website and technology as a tool to have information accessible to the public.
- Provide training opportunities to staff on customer service.

Transparent such that agency actions can be understood by any Texan

- The agency maintains website with a wealth of information ([www.sos.texas.gov](http://www.sos.texas.gov)). The website makes accessible public information that may be of interest to the general public.
- Seek input to improve the agency's services.
- Provide monthly, quarterly and annual reporting of financial information to oversight agencies (CPA, LBB, SAO).

## OTHER CONSIDERATIONS

### INDIRECT ADMINISTRATION

Managers receive training in contemporary management topics. Group training solidifies the bonds between the divisions. Cooperative interaction among managers is essential in an organization charged with over two hundred diverse duties.

The Agency's success and effectiveness depends primarily upon the ability of its employees to deliver the services required by the public. The Agency is committed to developing and retaining employees who will actively share in achieving the Agency's mission.

The Agency is committed to utilizing proven technological advancements to achieve the Agency's mission.

#### A. Location of Agency

The Agency is located in Austin. Employees occasionally travel to assist government officials or private citizens regarding election procedures and laws, as well as other Agency functions and services.

#### B. Organizational Aspects

##### A. Size and Compositions of Workforce (4/1/2022)

1. Full-Time Employees - 194
2. Part-Time Employees - 1
3. Full Time Equivalent Employees – 194
4. The Secretary of State employs the most qualified human resources available without regard to race, sex, age, or other discriminatory bias. See Appendix F to review an analysis of the agency staffing.

## C. **Human Resource Strengths and Weaknesses**

### 1. **Strengths**

- a. The agency's Leadership Staff average approximately fifteen years of experience; 31% of staff in a leadership role have 20 years or more of experience; this experience allows for vast institutional knowledge.
- b. Benefits - Agency employees are eligible for all state benefits afforded to other state employees, including retirement, insurance, vacation and sick leave, holidays, longevity, overtime, compensatory time, use of sick leave from a sick leave pool, extended sick leave, emergency leave, military leave, leave under the Family and Medical Leave Act, and parental leave. Other benefits may include benefit replacement pay; parking in state owned or controlled areas, and educational and training programs. The benefit program for our employees is satisfactory, with the exception of health care costs that continue to escalate.
- c. Telework – The Agency offers eligible employee the opportunity to telework.
- d. Training – The Agency encourages employees to enhance their knowledge, skills, and abilities through educational and training programs.

### (ii) **Weaknesses Affecting our Human Resources**

- a. Compensation – The Agency has been relatively effective in retaining employees occupying management and supervisory positions. The Agency, however, often loses professional, or technical employees to the private sector because of inadequate compensation. The Agency is now losing Administrative Staff to other state agencies because of inadequate compensation. Compensation for agency employees is not currently competitive with the private sector or other state agencies.
- b. Turnover Rates – From 9 /01/2020 to 8 /31/2021, the turnover rate for the Agency was 21.1%. Of that number, 3% of those departing held exempt positions (SOS), 5% held management positions, 1.5% held professional positions, 5% held technician positions and 7.2% held clerical positions.

## **D. Capital Assets**

### **1. Physical Facilities**

The Agency occupies state-owned office space in the State Capitol and the James Earl Rudder State Office Building (“Rudder Building”). The Elections Division moved from the 3<sup>rd</sup> Floor of the Thomas Jefferson Rusk Building (“Rusk Building”) into the Rudder Building in May 2014 after renovations were completed. The offices occupied by the Executive Division are located in the Capitol. These offices were renovated when the State Preservation Board restored the Capitol.

The Agency is the sole occupant of the Rudder Building. This building was restored in 1988. It is well suited for Agency operations. The proximity of the Rudder Building and the Capitol is advantageous. The facilities provided by these state buildings meet the immediate needs of the Agency during this planning period.

#### **a. Building Renovation**

The Rudder Building renovations which utilized Bond Funds were completed in May 2014. This Texas Facilities Commission (TFC) project included the renovation of restrooms to make them ADA compliant, renewal of the plumbing system, update or the replacement of aging mechanical equipment and materials, renew/replace air handlers and renew/replace the electrical distribution system. The renovation was accomplished two floors at a time and Agency staff had temporary alternate locations during the project.

### **2. Technology:**

The agency strategy is to shift to utilizing more Software as a Service.

#### *Personal Computers*

Approximately 200 personal computers are in use by Agency personnel. The agency strives to maintain a four-year technology refresh cycle where cost effective. Printing is via network attached printers as well as some local workstation attached printers.

#### *Network*

Agency employees are connected to the centralized computing resources via a switched Ethernet network. The agency connects to the Internet via a DIR CAPNET connection. Testing of available 5G and utilization of FirstNet is currently being assessed.

## Impact of Pending Lawsuits and Appeals

We do not anticipate any monetary liability from most of the agency's pending lawsuits and appeals, although it is possible that a court could award attorneys' fees and court costs to a prevailing plaintiff in one or more of these cases. In addition, it is possible that implementing a court-ordered remedy in certain matters referenced below could result in the State incurring costs.

As of May 27, 2022, the pending litigation involving the Secretary of State, in his official capacity, includes the following cases:

*Bilyeu, et al. v. Scott, et al.*, No. 1:21-cv-01089-RP (U.S. District Court for the Western District of Texas-Austin Division): Suit against SOS and Deputy SOS raising federal constitutional challenge to Texas Election Code provisions relating to minor-party candidates.

*Campaign Legal Center, et al. v. Scott*, No. 1:22-cv-00092-LY (U.S. District Court for the Western District of Texas-Austin Division): Suit against SOS raising federal statutory challenge to the disclosure of certain voter roll maintenance information under the National Voter Registration Act.

*Dikeman, et al. v. Scott, et al.*, No. 14-22-00091-cv (Fourteenth Court of Appeals-Houston): Suit against SOS, Harris County Judge, and Harris County Clerk raising state constitutional challenge to Texas Election Code provisions (and SOS's implementing advisory) governing ballot access for minor-party candidates.

*Flores, et al. v. Scott, et al.*, No. 7:18-cv-00113 (U.S. District Court for the Southern District of Texas-McAllen Division): Suit against SOS and Starr County Early Voting Ballot Board members raising federal constitutional challenge to the State's signature-comparison procedures for mail-in ballots.

*La Union del Pueblo Entero, et al. v. Abbott, et al.*, No. 5:21-cv-00844-XR (U.S. District Court for the Western District of Texas-San Antonio Division), and consolidated cases: Suits against SOS, the Governor, Attorney General, and county election officials raising federal constitutional and statutory challenge to numerous provisions of Senate Bill 1 (87th Leg., 2nd C.S.).

*League of United Latin American Citizens, et al. v. Abbott, et al.*, No. 3:21-cv-00259-DCG-JES-JVB (U.S. District Court for the Western District of Texas-El Paso Division), and consolidated cases: Suits against SOS, the Governor, and the State raising federal constitutional and statutory challenge to legislative redistricting maps adopted by the Texas Legislature in 2021.

*Lewis, et al. v. Scott*, No. 5:20-cv-00577-OLG (U.S. District Court for the Western District of Texas-San Antonio Division): Suit against SOS raising federal constitutional challenge to various vote-by-mail provisions in the Texas Election Code, including the requirement that voters pay for postage to return mail-in ballots and the State's signature comparison procedures for mail-in ballots.

*Miller, et al. v. Scott, et al.*, No. 1:19-cv-00700-RP (U.S. District Court for the Western District of Texas-Austin Division): Suit against SOS and Deputy SOS raising federal constitutional challenge to Texas Election Code provisions governing ballot access for minor-party and independent candidates.

*OCA-Greater Houston, et al. v. State of Texas, et al.*, No. 1:15-cv-00679-RP (U.S. District Court for the Western District of Texas-Austin Division): Suit against SOS and the State raising federal statutory challenge to Texas Election Code provisions relating to interpreter assistance.

*Ostrewich v. Longoria, et al.*, No. 21-20577 (U.S. Court of Appeals for the Fifth Circuit): Suit against SOS, Attorney General, and Harris County officials raising federal constitutional challenge to Texas Election Code provisions prohibiting electioneering at polling places.

*Perez, et al. v. Abbott, et al.*, No. 5:11-cv-360-OLG-JES-XR (U.S. District Court for the Western District of Texas-San Antonio Division): Suit against SOS, the Governor, and the State raising federal constitutional and statutory challenge to legislative redistricting maps adopted by the Texas Legislature in 2011 and 2013.

*Pritchett v. State of Texas, et al.*, No. 108158-86 (86th District Court, Kaufman County): Suit against SOS, the Governor, Lieutenant Governor, Speaker of the House, and the State raising state constitutional challenge to the allocation of population in Texas's intermediate courts of appeals districts.

*Richardson, et al. v. Scott, et al.*, No. 5:19-cv-00963-OLG (U.S. District Court for the Western District of Texas-San Antonio Division): Suit against SOS, Brazos County Elections Administrator, and McAllen City Secretary raising federal constitutional and statutory challenge to the State's signature-comparison procedures for mail-in ballots.

*Texas Alliance for Retired Americans, et al. v. Hughs*, No. 5:20-cv-00128 (U.S. District Court for the Southern District of Texas-Laredo Division): Suit against SOS raising federal constitutional challenge to the State's elimination of straight-ticket voting.

*Texas Democratic Party, et al. v. Abbott, et al.*, No. 5:20-cv-00438-FB (U.S. District Court for the Western District of Texas-San Antonio Division): Suit against SOS raising federal constitutional challenge to Texas Election Code provisions governing eligibility to vote by mail on the basis of disability or age.

*True Texas Project, et al. v. Scott*, No. D-1-GN-21-006656 (53rd District Court, Travis County): Election contest against SOS challenging the ballot language in Proposition 2, a proposed constitutional amendment passed by voters in the November 2021 statewide election.

*Veasey, et al. v. Abbott, et al.*, No. 2:13-cv-00193 (U.S. District Court for the Southern District of Texas-Corpus Christi Division): Suit against SOS, the Governor, Texas Department of Public Safety, and the State raising federal constitutional and statutory challenge to Texas Election Code's voter-identification requirements.

*Texas Secretary of State v. Williams*, No. D-1-GN-20-001478 (201st District Court, Travis County): Suit brought by SOS seeking to enjoin defendant from acting as an athlete agent in Texas without obtaining certificate of registration from SOS under Chapter 2051 of the Texas Occupations Code.

**REDUNDANCIES AND IMPEDIMENTS**

A review of the state statutes, rules and regulations applicable to the Agency has identified the following statutes or regulations as barriers to the efficient and effective operation of the Agency and its core mission and goals.

Service,	Why the Service,	Agency Recommendation for Modification or Elimination	Estimated Cost Savings or Other Benefit Associated with Recommended Change
<b>Recommendations</b>			
<p>Tex. Gov't Code §405.021(b)-(h)</p>	<p>The statutory provision directs the Secretary of State to compile information received from various state agencies, councils of government, and other specified persons that provide water or wastewater services, paved roads, or other state-funded assistance to colonias. The provision requires the Secretary of State to prepare a report to the legislature on the progress of state-funded projects to colonias. The report required under this provision also must include a list of colonias with the highest health risk to colonia residents based on factors identified by the Secretary of State.</p> <p>On June 12, 2017, Governor Abbott, pursuant to Article IV, Section 14 of the Texas Constitution, signed an Item Disapproval Proclamation of SB 1, the General Appropriations Act (85th R.S.). The veto proclamation</p>	<p>Modify statute to eliminate the duties imposed on the Secretary of State under the subsections identified.</p>	<p>It is more efficient and cost-effective for the state to require those state agencies that provide direct services to Texans living in colonias to report directly to the legislature regarding the status of state-funded programs administered by such agencies.</p> <p>Secretary of State staff and resources should be optimized and directed to fulfilling and achieving the Agency's core functions and goals.</p>

Service, Statute, Rule, or Regulation	Why the Service, Statute, Rule, or Regulation is Resulting in Inefficient or Ineffective Agency Operations	Agency Recommendation for Modification or Elimination	Estimated Cost Savings or Other Benefit Associated with Recommended Change
	<p>eliminated the funds allocated to the Secretary of State's Colonia Initiatives strategy. These funds were not restored for the 2020-21 or 2022-23 biennia (HB 1, 86th R.S.; SB 1, 87th R.S.).</p> <p>In his June 2017 Proclamation Governor Abbott stated that “[s]ervices to help improve the lives of Texans living in colonias [were] funded across numerous other state agencies” providing direct client services to persons living in colonias. Pursuant to the Governor’s Proclamation, the appropriation of funds was disapproved because the Secretary primarily served in a “liaison and reporting” capacity.</p> <p>With the veto of the Colonias Initiatives strategy and loss of funding, the Agency eliminated the positions of the staff persons who functioned as the colonia ombudspersons under chapter 775 of the Government Code. These individuals gathered information relating to colonias and</p>		

Service, Statute, Rule, or Regulation	Why the Service, Statute, Rule, or Regulation is Resulting in Inefficient or Ineffective Agency Operations	Agency Recommendation for Modification or Elimination	Estimated Cost Savings or Other Benefit Associated with Recommended Change
	<p>assisted in the preparation of the report required under this statutory provision.</p> <p>To continue to require the Secretary of State to act as a liaison for purposes of preparing the report described in §405.021(b)-(h) is not cost effective and results in a workload the Agency is unable to meet without additional resources.</p>		
<p>Tex. Gov't Code §§775.003-775.004</p>	<p>Section 775.003 requires the appointment of a colonia ombudsperson in certain Texas counties.</p> <p>Section 775.004 requires the appointed ombudspersons to gather certain information concerning the colonias in the counties for which the ombudspersons were appointed. The statutory purpose served by the ombudspersons was to assist the Agency in preparing the report required under Section 405.021 of the Government Code. (See Recommendation 1.)</p>	<p>Repeal the identified statutory provisions, as the ombudsperson program established and administered under these provisions has been eliminated.</p>	<p>The cost savings to the state were realized with the elimination of this strategy by Governor Abbott's June 2017 Item Disapproval Proclamation of SB 1, the General Appropriations Act (85th R.S.), and by not restoring such funding for the 2020-21 or 2022-23 biennia (HB 1, 86th R.S.; SB 1, 87th R.S.).</p> <p>Secretary of State staff and resources should be optimized and directed to fulfilling and achieving the Agency's core functions and goals.</p>

Service, Statute, Rule, or Regulation	Why the Service, Statute, Rule, or Regulation is Resulting in Inefficient or Ineffective Agency Operations	Agency Recommendation for Modification or Elimination	Estimated Cost Savings or Other Benefit Associated with Recommended Change
	<p>On June 12, 2017, Governor Abbott, pursuant to Article IV, Section 14 of the Texas Constitution, signed an Item Disapproval Proclamation of SB 1, the General Appropriations Act (85th R.S.). As the veto proclamation eliminated the funds allocated to the Secretary of State's Colonia Initiatives strategy, the Agency eliminated the positions of those staff persons who functioned as the appointed colonia ombudspersons under the program established by Section 775.003. These funds were not restored for the 2020-21 or 2022-23 biennia (HB 1, 86th R.S.; SB 1, 87th R.S.).</p> <p>As the strategy that supported the colonia ombudsperson program has been eliminated, these statutory provisions are now obsolete.</p>		

Service, Statute, Rule, or Regulation	Why the Service, Statute, Rule, or Regulation is Resulting in Inefficient or Ineffective Agency Operations	Agency Recommendation for Modification or Elimination	Estimated Cost Savings or Other Benefit Associated with Recommended Change
Tex. Prop. Code §222.005(b)(3), (c)	Chapter 222 of the Property Code requires membership camping resort salespersons and contract brokers to register with the Secretary of State. Section 222.005(b)(3) requires a prospective salesperson or contract broker to submit information regarding “whether the applicant has been convicted of a felony or a misdemeanor involving moral turpitude.” Section 222.005(c) authorizes the Secretary of State to require “any additional information that is reasonably necessary to determine the good moral character of an applicant for registration.” Thus, for each application, the SOS must determine the “moral character” of the applicant, and the provisions do not contain any guidelines for the SOS to utilize in making this determination.	Eliminate the requirement that the Secretary of State determine the “moral character” of an applicant for registration as a membership camping resort salesperson or contract broker, or modify Section 222.005 to provide guidelines for the SOS to utilize in making this determination.	Secretary of State staff and resources should be optimized and directed to fulfilling and achieving the Agency’s core functions and goals.

Service, Statute, Rule, or Regulation	Why the Service, Statute, Rule, or Regulation is Resulting in Inefficient or Ineffective Agency Operations	Agency Recommendation for Modification or Elimination	Estimated Cost Savings or Other Benefit Associated with Recommended Change
<p>Tex. Transp. Code §722.011(b)(2)</p>	<p>Section 722.011 of the Transportation Code requires automobile clubs to file with the Secretary of State a notice of appointment of each agent within 30 days of the date on which the agent is employed by the club. The notice must contain, among other things, “proof satisfactory to the secretary that the agent is of good moral character.”</p> <p>Chapter 722 does not provide the agent or club a means of appealing the denial of appointment by the Secretary of State. As a result, the current language provides no clear direction to the Office, the hired agent, or the club regarding the standards for determining good moral character or the consequences for denial of the appointment.</p>	<p>The review of a hired agent’s criminal history places the Office in the unnecessary position of regulating the hiring practices of a private enterprise. As noted, the filing of a notice of appointment is not a precursor to the hiring of an agent by the club. The club has 30 days from the date of hire of the agent to make the filing with the Secretary of State; therefore, the club has made its decision that the agent is qualified for employment.</p> <p>Elimination of the requirement that the Secretary of State determine the “moral character” of an automobile club agent will facilitate the registration process for this business sector. The notice of appointment itself should be retained as a notice filing. Retention of the notice filing will allow the public to verify that an individual selling a membership is in fact an agent hired by the automobile club.</p>	<p>Eliminating the criminal history review component and streamlining the automobile club registration process will allow the Secretary of State to offer online filing of this registration, which will increase efficiency for both registrants and the Secretary of State.</p>

## **SCHEDULE A: BUDGET STRUCTURE**

The Secretary of State (SOS) has three funding sources: general revenue, appropriated receipts, and with the passage of the Help America Vote Act in 2002 federal funds. Funds authorized but unappropriated in the original HAVA have now been appropriated under Title 1 of HAVA and are being distributed to the states (SOS) on the conditions that the money be spent primarily on enhancing the security of election systems and that the state match the spending with a 5% match on top of the appropriated amount. The agency has relied increasingly on appropriated receipts to maintain the highest level of service to the public.

The SOS develops its budget bi-annually through the Legislative Appropriation Request process. This request is presented to the Texas Legislature for review and approval. The budgetary process begins in the summer of each even numbered year in preparation for the Legislative session in January of the following year. The Legislature must approve the agency's budget before any expenditure can be made.

## **GOAL 1: INFORMATION MANAGEMENT**

### **1.0.0. Provide and Process Information Efficiently; Enforce Laws/Rules**

Provide and process information efficiently, Enforce Laws/Rules. Provide accurate, reliable, and timely access to information. Maximize the efficiency of document processing. Take actions to ensure compliance with laws and rules.

## OBJECTIVE

### **1.1.0. Process Documents & Provide Accurate & Reliable Info on a Timely Basis**

The percentage of documents and public information requests handled within three days is a measure of the efficiency and timeliness of the strategy in responding to requests to file business, commercial and public documents for and provide public information to the legal and business communities and to the public. It is an important measure of the strategy's ability to be responsive to the needs of its service population.

### **1.2.0. File & Publish Admin Rules and Agency Public Notices**

File, edit, and compile administrative rules and agency notices for publication in the *Texas Register* and in the *Texas Administrative Code*. Publish laws passed by the legislature within 18 months.

## STRATEGY

- 1.1.1. File/Reject Statutory Filings
- 1.1.2. File & Publish Admin Rules and Agency Public Notices
- 1.1.3. Publish the *Texas Register* and the *Texas Administrative Code*

## OUTCOME MEASURES

- 1.1.1. % of Bus, Comm, and Public Filings & Info Requests Completed in 3 Days
- 1.1.2. Avg Cost per Bus, Comm, and Public Filings Trans + Pub Info Request
- 1.1.3. Average Cost Per Register and Administrative Code Published

## OUTPUT MEASURES

1.1.1. The percentage of documents and public information requests handled within three days is a measure of the efficiency and timeliness of the strategy in responding to requests to file business, commercial and public documents for and provide public information to the legal and business communities and to the public. It is an important measure of the strategy's ability to be responsive to the needs of its service population.

1.1.2. This measures the cost of providing services by the strategy. The total cost is divided by the total transactions and information requests handled by the strategy.

1.1.3. This measure addresses the combined costs for publishing the on-line *Texas Register*, the on-line *Texas Administrative Code*, and on-line notices of open meetings. The *Texas Register* is published each week on-line (52 times a year). The *Texas Administrative Code* is updated each workday. Open meeting notices are posted each day. The Agency is not involved in any commercially printed publications of the *Texas Administrative Code* and *Texas Register* except to provide updated text and graphic files.

## EXPLANATORY MEASURES

1.1.1. This Turnaround Time Report (Business Days) calculates the number of days between the date of filing/receipt and the date of computer entry, and provides the document and public information turnaround based on business days. The percentage is calculated by comparing the total number of documents on the report to the number processed within 3 days. The percent of commercial transactions and public information requests is obtained by dividing all weeks' transaction documents and public information requests processed within 3 business days by the total number processed. The number of documents and requests responded to within 3 business days is divided into the total number of documents and requests received.

1.1.2. The average cost is computed by using the total strategy cost as the numerator and the Number of Business, Commercial, and Public Filing Transactions Processed and Number of Processed Requests for Information on Business, Commercial, and Public Filings as the denominator. The data for computation of the average cost is based on salaries for the second fiscal year of the expiring biennium. Any

general salary increase or additional appropriation authorized by the Legislature is excluded from the computation.

1.1.3. The average cost is calculated by dividing the annual cost, as defined above, by 52, the number of online issues of the Texas Register published. The data for computation of the average cost is based on salaries for the second year of the expiring biennium. Any general salary increase or additional appropriation authorized by the Legislature is excluded from the computation.

## **GOAL 2: ADMINISTER ELECTION LAWS**

### **2.0.0. Maintain Uniformity & Integrity of Elections; Oversee Election**

#### **Process**

Maintain uniformity and integrity in the conduct of elections statewide while overseeing the election process in the state.

#### OBJECTIVE

##### 2.1.0. ELECTION LAWS/CONSTITUTIONAL AMENDMENTS

Provide guidance and interpretation of election laws to 100 percent of election officials each election year; publish 100 percent of constitutional amendments; and reimburse counties for primary election costs and voter registration postage within one year.

#### STRATEGY

- 2.1.1. Provide Statewide Elections Administration
- 2.1.2. Primary Election Financing; VR Postal Payment to Postal Services
- 2.1.3. Publish and Interpret Constitutional Amendments
- 2.1.4. Administer the Federal Help America Vote Act (HAVA)

#### OUTCOME MEASURES

- 2.1.1. Provide Statewide Elections Administration
- 2.1.2. Primary Election Financing; VR Postal Payment to Postal Services
- 2.1.3. Publish and Interpret Constitutional Amendment

## OUTPUT MEASURES

2.1.1. The percentage of Election Authorities Assisted or Advised is a measure of the strategy's effectiveness in reaching this population. The number of election authorities includes the total number of county clerks, county judges, election administrators, voter registrars, state and county political party chairs, and identified local officials for cities, schools, and other political subdivisions.

2.1.2. This measure represents the degree of implementation of the Accessible Voting Device voting system.

2.1.3. This measures the cost of providing services by the strategy.

## EXPLANATORY MEASURES

2.1.1. The number of election authorities assisted or advised divided by the number of election authorities statewide. The number of county and local election authorities will be calculated and reported on an annual basis based on statistical information provided to the Elections division by state and local election entities.

2.1.2. The number of polling places in each county is summed to give a total number of polling places for the state. Likewise, the number of polling places with at least one Accessible Voting Device is summed for the state. The second sum, number of polling places with at least one Accessible Voting Device, is divided by the first sum, number of polling places, to compute the statewide percent.

2.1.3. Calculation is 60% of total strategy cost as defined in the Data Source section divided by the number of election authorities assisted or advised. Sources for the outputs are defined in those measures. The data for computation of the average cost is based on salaries for the second fiscal year of the expiring biennium. Any general salary increase or additional appropriation authorized by the Legislature is excluded from the computation.

**SCHEDULE B: PERFORMANCE MEASURE DEFINITIONS**

<b>Agency:</b>	Office of the Texas Secretary of State
<b>Goal:</b>	I Provide and Process Information Efficiently; Enforce Laws/Rules
<b>Objective:</b>	I Process Documents & Provide Accurate & Reliable Info on a Timely Basis
<b>Strategy:</b>	I File/Reject Statutory Filings

**Outcome Measure:** Number of Registrants

**Definition**

A count of registrants.

**Purpose/Importance**

The number of registrants provides contextual information on the strategy's function.

**Source/Collection of Data**

The number of registrants is compiled from athlete agents, automobile clubs, business opportunities, credit services entities, health spas, membership camping resorts, municipal boundary changes, property rights, public safety entities and their solicitors, state seal, telephone solicitors, third-party debt collector bonds and veterans entities and their solicitors. The data is extracted from Oracle and Access Databases and entered into an Excel spreadsheet titled Workload Measures.

**Method of Calculation**

The annual totals are the cumulation of all the registrants on a monthly basis.

**Data Limitations**

**Type**

The number of registrations received is externally driven and the Agency has no control over this input.

**Calculation**

Non-cumulative

**New Measure**

No

**Target Attainment**

Higher than target

**SCHEDULE B: PERFORMANCE MEASURE DEFINITIONS**

<b>Agency:</b>	Office of the Texas Secretary of State
<b>Goal:</b>	I Provide and Process Information Efficiently; Enforce Laws/Rules
<b>Objective:</b>	I Process Documents & Provide Accurate & Reliable Info on a Timely Basis

**Outcome Measure:** Number of Notary Commissions Issued

**Definition**

A count of notary commissions issued, including commissions issued on renewal.

**Purpose/Importance**

The number of notaries commissioned and renewed provides contextual information on the strategy's function.

**Source/Collection of Data**

The number will also include duplicate, corrected and name change commissions issued. The data is extracted from the On-line Monthly Productivity Report and entered monthly into an Excel spreadsheet titled Workload Measures. This information is linked to other spreadsheets that compile monthly, quarterly, and annual statistics.

**Method of Calculation**

The annual totals are the cumulation of all notary commissions issued, including renewals, on a monthly basis.

**Data Limitations**

**Type** The number is externally driven and the Agency has no control over this input.

**Calculation**

Non-cumulative

**New Measure**

No

**Target Attainment**

Higher than target

**SCHEDULE B: PERFORMANCE MEASURE DEFINITIONS**

<b>Agency:</b>	Office of the Texas Secretary of State
<b>Goal:</b>	I Provide and Process Information Efficiently; Enforce Laws/Rules
<b>Objective:</b>	I Process Documents & Provide Accurate & Reliable Info on a Timely Basis

**Outcome Measure:** Business, Commercial, and Public Filings Revenue

**Definition**

Total revenue collected for business, commercial and public filings and information requests.

**Purpose/Importance**

To explain the strategy's revenue generation.

**Source/Collection of Data**

Centralized Accounting and Payroll/Personnel System (CAPPS)

**Method of Calculation**

Summary of deposits into the State Treasury.

**Data Limitations**

Type None

**Calculation**

Non-cumulative

**New Measure**

No

**Target Attainment**

Higher than target

**SCHEDULE B: PERFORMANCE MEASURE DEFINITIONS**

<b>Agency:</b>	Office of the Texas Secretary of State
<b>Goal:</b>	I Provide and Process Information Efficiently; Enforce Laws/Rules
<b>Objective:</b>	I Process Documents & Provide Accurate & Reliable Info on a Timely Basis
<b>Strategy:</b>	I File/Reject Statutory Filings

**Outcome Measure:** Number of Business, Commercial, and Public Filings Transactions Processed

**Definition**

A count of transactions processed.

**Purpose/Importance**

This is a measure of the amount of work processed by the strategy. It includes documents submitted externally for filing or entry by the Agency as well as documents produced by the Agency for distribution externally.

**Source/Collection of Data**

Business entity transactions include documents (filed or rejected) submitted to the Corporations Section for filing. Filings include tax forfeitures and reversals, public information reports, delinquencies, renewals, other notices generated by the Secretary of State (SOS) and other documents entered into the Business Entity Secured Transaction (BEST) database. Commercial transactions include financing statements, federal liens, utility security instruments, other notices of liens and updates to those transactions (filed or rejected). Public documents include services of process, notary actions, appointments and other documents and registrations processed as Government Filings or registrations (filed or rejected), including a count of the legislative bills posted on the web.

**Method of Calculation**

The totals from all data sources are entered into the Excel spreadsheet, Workload Measures. The number is calculated by adding totals from reports and manual counts from various sources as fully described in the workload measures spreadsheets for the Business & Public Filings Division, including those spreadsheets maintained for the Corporations, Uniform Commercial Code (UCC), Government Filings Sections and the former Statutory Documents Section.

**Data Limitations**

The number of registrations received is externally driven and the Agency has no control over this input.

**Calculation Type**

Non-cumulative

**New Measure**

No

**Target Attainment**

Higher than target

**SCHEDULE B: PERFORMANCE MEASURE DEFINITIONS**

<b>Agency:</b>	Office of the Texas Secretary of State
<b>Goal:</b>	I Provide and Process Information Efficiently; Enforce Laws/Rules
<b>Objective:</b>	I Process Documents & Provide Accurate & Reliable Information on a timely basis
<b>Strategy:</b>	I File/Reject Statutory Filings
<b>Outcome Measure:</b>	Number of Requests for Information and Filings Processed

**Definition**

A count of information requests.

**Purpose/Importance**

This measure is the amount of work processed by the strategy. It includes total responses to information requests whether those requests are satisfied by telephone information, production of copies or certificates, production of information letters and e-mails or direct access inquiries.

**Source/Collection of Data**

Requests for information include telephone requests, Secretary of State (SOS) Direct and Business Entity Filing System of Texas (BEST) inquiries; web searches; orders for certificates, certified copies and plain copies; apostilles; information letters; e-mail responses and searches submitted through Extensible Markup Language (XML) web services. The number of requests is calculated by adding totals from reports and manual counts from various sources as fully described in the workload measures spreadsheets for the Business and Public Filings Division, including those spreadsheets maintained for the Corporations, Uniform Commercial Code (UCC), Government Filings Sections and the former Statutory Documents Section.

**Method of Calculation**

The data for this output measure is an entry to the Monthly Report. The Monthly Report is a spreadsheet that identifies the number of information requests by type. The Excel spreadsheet is configured to add all the relevant numbers and produce the output measure as grand total.

**Data Limitations**

**Type**  
cumulative  
control over this input.

The number of registrations received is externally driven and the Agency has no

**Calculation**

Non-

**New Measure**

No

**Target Attainment**

Higher than target

## SCHEDULE B: PERFORMANCE MEASURE DEFINITIONS

<b>Agency:</b>	Office of the Texas Secretary of State
<b>Goal:</b>	1 Provide and Process Information Efficiently; Enforce Laws/Rules
<b>Objective:</b>	2 File & Publish Admin Rules and Agency Public Notices
<b>Strategy:</b>	1 Publish the Texas Register and the Texas Administrative Code
<b>Outcome Measure:</b>	<del>Number of Rules and Notices Filed in the Texas Register</del>

### Definition

A count of rules and notices published

### Purpose/Importance

This message provides contextual information on the amount of work processed by the strategy.

### Source/Collection of Data

Each document filed for publication in the Texas Register, including open meetings notices published on the Internet bulletin board, is maintained in the Texas Administrative Code Oracle database. Using the Staff Menu page, a query from the "Register Viewer" provides the total number of rules for a specified range of issue dates. A second query from the "Register Viewer" provides the total number of non-rule documents for a specified range of issue dates. A query from "Open Meeting Archive" provides the total number of meeting notices for a specified date range. Withdrawn rules are counted separately from each Texas Register issue within a specified date range (because the database tracks a notice of withdrawal as a change in status to a proposed rule rather than as a separate document filing.) The total of rules, non-rules, withdrawn rules and meeting notices equals the Number of Rules and Notices in the Texas Register.

### Method of Calculation

The figures for quarterly monthly, weekly measures are calculated by queries to the Oracle database from the Staff Page menu.

**Data Limitations**

**Type** The number of registrations received is externally driven and the Agency has no control over this input.

**Calculation**

Non-cumulative

**New Measure**

No

**Target Attainment**

Higher than target

**SCHEDULE B: PERFORMANCE MEASURE DEFINITIONS**

<b>Agency:</b>	Office of the Texas Secretary of State	
<b>Goal:</b>	2	Maintain Uniformity & Integrity of Elections; Oversee Election Process
<b>Objective:</b>	1	Interpret Election Laws/HAVA; Publish Constitutional Amendments; Reimburse Election costs

**Outcome Measure:** Number of Registered Voters

**Definition**

A count of registered voters.

**Purpose/Importance**

This measure provides contextual information about the strategy. Voter registration is administered at the county and state level. State and federal law govern voter registration.

**Source/Collection of Data**

The number of registered voters is pulled from the Agency's TEAM (Texas Election Administration Management) System, which maintains the official list of registered voters.

**Method of Calculation**

The reported input is from quarterly and annual summaries.

**Data Limitations**

**Type** None

**Calculation**

Non-cumulative

**New Measure**

No

**Target Attainment**

Higher than target

**SCHEDULE B: PERFORMANCE MEASURE DEFINITIONS**

<b>Agency:</b>	Office of the Texas Secretary of State	
<b>Goal:</b>	2	Maintain Uniformity & Integrity of Elections; Oversee Election Process
<b>Objective:</b>	1	Interpret Election Laws/HAVA; Publish Constitutional Amendments; Reimburse Election Costs
		50
<b>Strategy:</b>	1	Provide Statewide Elections Administration

**Outcome Measure:** Number of Election Officials Assisted or Advised

**Definition**

A count of election authorities assisted or advised.

**Purpose/Importance**

This a measure of the amount of work processed by the strategy. The strategy provides for assistance and advisement during seminars, webinars, conferences and workshops; online training modules; handbooks and manuals; election advisories and mass correspondence; and telephone communication.

**Source/Collection of Data**

Seminar, webinar, conference and workshop attendance will be recorded based on a review of attendance records provided by the event host. Online training attendance will be derived from course successful course completion records. Handbook and manual dissemination will include the number of processed material requests. Election advisories and mass procedures will be archived and recorded through the email application. Telephone communication with election officials and workers will be measured by the DIR divisional phone report for (800)252-2216 and staff extension phone logs.

**Method of Calculation**

The reported output is from quarterly and annual summaries.

**Data Limitations**

**Type** The Reports on a number of incoming telephone calls are provided by sources outside the Agency and are subject to report or system changes and/or data extraction problems beyond the control of this agency.

**Calculation**

Non-cumulative

**New Measure**

No

**Target Attainment**

Higher than target

**SCHEDULE B: PERFORMANCE MEASURE DEFINITIONS**

<b>Agency:</b>	Office of the Texas Secretary of State	
<b>Goal:</b>	2	Maintain Uniformity & Integrity of Elections; Oversee Election Process
<b>Objective:</b>	1	Interpret Election Laws/HAVA; Publish Constitutional Amendments; Reimburse Election Costs
<b>Strategy:</b>	1	Provide Statewide Elections Administration

**Outcome Measure:** Number of Public Customers Advised, Trained or Assisted

**Definition**

Number of Public Customers Advised, Trained or Assisted

**Purpose/Importance**

This is a measure of the amount of work processed by this strategy. The number of people assisted or advised is based on incoming calls on (800)252-8683, (512)463-5650 and the number of calls registered for individual staff agent lines; pieces of outgoing mail; public visitors assisted; email correspondence; and persons advised and assisted through Project V.O.T.E.

**Source/Collection of Data**

The number of incoming and returned calls on identified divisional phone lines will be recorded by reviewing the DIR divisional phone billing reports. The amount of outgoing divisional mail will be logged by agency staff daily. The number of public visitors will be maintained on the division Visitor Log. Email correspondence will be archived and records by agency email application. The number of persons advised or assisted through Project V.O.T.E. will be archived and recorded through the application database, presentation attendance records, and the agency email application.

**Method of Calculation**

The reported output is from quarterly and annual summaries.

**Data Limitations**

**Type** The Reports on a number of incoming telephone calls are provided by sources outside the Agency and are subject to report or system changes and/or data extraction problems beyond the control of this agency.

**Calculation**

Non-cumulative

**New Measure**

No

**Target Attainment**

Higher than target



**SCHEDULE B: PERFORMANCE MEASURE DEFINITIONS**

<b>Agency:</b>	Office of the Texas Secretary of State
<b>Goal:</b>	2 Maintain Uniformity & Integrity of Elections; Oversee Election Process
<b>Objective:</b>	1 Interpret Election Laws/HAVA; Publish Constitutional Amendments; Reimburse Election Costs
<b>Strategy:</b>	2 Primary Election Financing; Voter Registration Postal Payment to Postal Services

**Outcome Measure:** Program Management Cost Per Dollar of Primary Election Funds Distributed

**Definition**

A measure of administrative cost.

**Purpose/Importance**

This measures the cost of providing the strategy services. This measure is based on the salary of employees who administer the Primary Election Fund. This measure also includes all other administrative expenses, which may be paid for the primary elections financing appropriation.

**Source/Collection of Data**

Centralized Accounting and Payroll/Personnel System (CAPPS).

**Method of Calculation**

Actual administrative cost is determined from the Centralized Accounting and Payroll/Personnel System (CAPPS), for all objects of expense, except 7050, benefit replacement pay. The actual administrative cost is divided by the sum of primary election funds distributed for both years of the biennium divided by two. The data for computation of the average cost is based on salaries for the second fiscal year of the expiring biennium. Any general salary increase or additional appropriation authorized by the Legislature is excluded from the computation.

**Data Limitations**

None

**Calculation Type**

Non-cumulative

**New Measure**

No

**Target Attainment**

Higher than target

**SCHEDULE B: PERFORMANCE MEASURE DEFINITIONS**

<b>Agency:</b>	Office of the Texas Secretary of State
<b>Goal:</b>	2 Maintain Uniformity & Integrity of Elections; Oversee Election Process
<b>Objective:</b>	1 Interpret Election Laws/HAVA; Publish Constitutional Amendments; Reimburse Election Costs

**Outcome Measure:** Program Management Cost Per Dollar of Voter Registration Postage Reimbursed

**Definition**

A measure of administrative cost.

**Purpose/Importance**

This measures the cost of providing services by the strategy. Measure is based on the salary of the employee who administers voter registration postage.

**Source/Collection of Data**

Agency Staffing Pattern – Uniform Statewide Personnel System Report 165.

**Method of Calculation**

Salary and Longevity costs. The actual administrative cost is divided by the sum of voter registration postage funds distributed for both years of the biennium divided by two. The data for computation of the average cost is based on salaries for the second fiscal year of the expiring biennium. Any general salary increase or additional appropriation authorized by the Legislature is excluded from the computation.

**Data Limitations**

Type None

**Calculation**

Non-cumulative

**New Measure**

No

**Target Attainment**

Higher than target

**SCHEDULE B: PERFORMANCE MEASURE DEFINITIONS**

<b>Agency:</b>	Office of the Texas Secretary of State	
<b>Goal:</b>	2	Maintain Uniformity & Integrity of Elections; Oversee Election Process
<b>Objective:</b>	1	Interpret Election Laws/HAVA; Publish Constitution Amendments; Reimburse Election Costs

**Outcome Measure:** Amount of Primary Election Funds Distributed to Political Parties

**Definition**

A measure of strategy expenditures.

**Purpose/Importance**

This measure provides contextual information about the work of the strategy. This measure is the grand total of all disbursements to the local and state political organizations for primary election costs.

**Source/Collection of Data**

Centralized Accounting and Payroll/Personnel System (CAPPS).

**Method of Calculation**

The amount of dollars distributed to political organizations is the total expenditures and accrued expenditures for object of expense 7623 shown on the Centralized Accounting and Payroll/Personnel System (CAPPS), for the cut-off period.

**Data Limitations**

None

**Calculation Type**

Non-cumulative

**New Measure**

No

**Target Attainment**

Higher than target

**SCHEDULE B: PERFORMANCE MEASURE DEFINITIONS**

<b>Agency:</b>	Office of the Texas Secretary of State	
<b>Goal:</b>	2	Maintain Uniformity & Integrity of Elections; Oversee Election Process
<b>Objective:</b>	1	Interpret Election Laws/HAVA; Publish Constitutional Amendments; Reimburse Election Costs
<b>Strategy:</b>	2	Primary Election Financing; Voter Registration Postal Payment to Postal Services

**Outcome Measure:** Amount of Voter Registration Postage Reimbursed to Counties

**Definition**

Explanation of the strategy expenditures.

**Purpose/Importance**

This measure provides contextual information about the work of the strategy. This measure is the grand total of all disbursements to counties for postage costs on voter registration applications.

**Source/Collection of Data**

Centralized Accounting and Payroll/Personnel System (CAPPS).

**Method of Calculation**

The amount of dollars distributed to counties is the total expenditures and accrued expenditures for object of expense 7291, taken from the Centralized Accounting and Payroll/Personnel System (CAPPS) report for the cut-off period.

**Data Limitations**

Type None

**Calculation**

Non-cumulative

**New Measure**

No

**Target Attainment**

Higher than target

**SCHEDULE B: PERFORMANCE MEASURE DEFINITIONS**

<b>Agency:</b>	Office of the Texas Secretary of State
<b>Goal:</b>	2 Maintain Uniformity & Integrity of Elections; Oversee Election Process
<b>Objective:</b>	1 Interpret Election Laws/HAVA; Publish Constitutional Amendments; Reimburse Election Costs
<b>Strategy:</b>	3 Publish and Interpret Constitutional Amendments

**Outcome Measure:** Average Cost Per Amendment Published

**Definition**

Average cost per unit of production.

**Purpose/Importance**

This measures the unit cost of providing services by the strategy.

**Source/Collection of Data**

Average cost per amendment is based on total expenditures and accrued expenditures taken from the Centralized Accounting and Payroll/Personnel System (CAPPS), Program Code 5056, for the cut-off periods for each successive quarter in the fiscal year.

**Method of Calculation**

The average cost is the total expenditures, as the numerator, divided by the number of amendments published, as the denominator. This is based on ten amendments placed on the ballot and the use of an average of three columnar inches of newspaper advertising for each amendment. If fewer than ten amendments are on the ballot or if the average columnar inches exceeds three, the average cost per amendment will be adjusted downward proportionally. The data for computation of the average cost is based on salaries for the second fiscal year of the expiring biennium. Any general salary increase or additional appropriation authorized by the Legislature is excluded from the computation.

**Data Limitations**

The number of amendments varies considerably. There are costs for printing, publishing and postage that do not vary in direct proportion to the number of amendments. Because of these relatively fixed costs, the average cost may be extremely high when less than ten amendments are on the ballot.

**Calculation Type**

Non-cumulative

**New Measure**

No

**Target Attainment**

Higher than target

**SCHEDULE B: PERFORMANCE MEASURE DEFINITIONS**

<b>Agency:</b>	Office of the Texas Secretary of State	
<b>Goal:</b>	2	Maintain Uniformity & Integrity of Elections; Oversee Election Process
<b>Objective:</b>	1	Interpret Election Laws/HAVA; Publish Constitutional Amendments; Reimburse Election Costs
<b>Strategy:</b>	3	Publish and Interpret Constitutional Amendments

**Outcome Measure:** Number of Constitutional Amendment Translations Mailed

**Definition**

A count of mailings to Hispanic Surname households.

**Purpose/Importance**

The number of translations mailed is a key factor in the printing and postage costs.

**Source/Collection of Data**

The US Postal Service mailing permit system provides an item count for each mailing. Mailings normally occur on several days.

**Method of Calculation**

The number of translations mailed is the sum of the item count provided by the US Postal Service.

**Data Limitations**

None

**Calculation Type**

Non-cumulative

**New Measure**

No

**Target Attainment**

Higher than target

**SCHEDULE B: PERFORMANCE MEASURE DEFINITIONS**

<b>Agency:</b>	Office of the Texas Secretary of State	
<b>Goal:</b>	2	Maintain Uniformity & Integrity of Elections; Oversee Election Process
<b>Objective:</b>	1	Interpret Election Laws/HAVA; Publish Constitutional Amendments; Reimburse Election Costs
<b>Strategy:</b>	4	Administer the Federal Help America Vote Act (HAVA)

**Outcome Measure:** Number of Counties Using Voter Registration Online

**Definition**

A count of counties using on-line voter registration.

**Purpose/Importance**

TEAM is a voter registration and election management application that is maintained by the Agency, which allows counties to administer voter registration and to produce all certificates, lists, reports and notices in an efficient and effective working environment in compliance with state and federal law. In addition, TEAM offers a comprehensive jury wheel program, which is capable of producing all required lists, reports and notices associated with selection and tracking of jurors.

**Source/Collection of Data**

The number of Texas Election Administration Management ("TEAM") on-line counties is based on the actual number of counties contracting with the Agency for on-line voter registration services. Enumeration of the on-line counties is maintained in a Word file maintained by the Voter Registration Section of the Elections Division.

**Method of Calculation**

A list is produced quarterly to report the cumulative number of on-line counties.

**Data Limitations**

None

**Calculation Type**

Non-cumulative

**New Measure**

No

**Target Attainment**

Higher than target

**SCHEDULE B: PERFORMANCE MEASURE DEFINITIONS**

<b>Agency:</b>	Office of the Texas Secretary of State	
<b>Goal:</b>	2	Maintain Uniformity & Integrity of Elections; Oversee Election Process
<b>Objective:</b>	1	Interpret Election Laws/HAVA; Publish Constitutional Amendments; Reimburse Election Costs
<b>Strategy:</b>	4	Administer the Federal Help America Vote Act (HAVA)

**Outcome Measure:** Number of Federal HAVA Dollars Spent Per Voting Age Population

**Definition**

A measure of per capita expenditure.

**Purpose/Importance**

This measures the federal HAVA dollar coverage of voting age population.

**Source/ Collection of Data**

The number of Texas voting age population is provided by the Texas State Data Center. The dollars expended are from agency accounting records for federal HAVA dollars spent.

**Method of Calculation**

The number of dollars expended is divided by the voting age population.

**Data Limitations**

None

**Calculation Type**

Non-cumulative

**New Measure**

No

**Target Attainment**

Higher than target

**SCHEDULE B: PERFORMANCE MEASURE DEFINITIONS**

<b>Agency:</b>	Office of the Texas Secretary of State	
<b>Goal:</b>	3	International Protocol
<b>Objective:</b>	1	Provide Protocol Services and Representation on Border Issues
<b>Strategy:</b>	1	Provide Protocol Services and Representation on Border Issues

**Outcome Measure:** Number of Meetings with International Diplomatic Officials/Foreign Government Officials/Business Leaders

**Definition**

A count of meetings.

**Purpose/Importance**

The protocol office provides a central point for public officials and business leaders to conduct and meet with Texas governmental officials. The number of meetings reflects the amount of work performed by International Protocol.

**Source/Collection of Data**

Each meeting that qualifies under the output measure definition is recorded on a log maintained by the Program Administrator for International Protocol. The log will show meeting date, location of meeting, officials' names, name of government or business organization represented, a summary of the discussion/purpose, and the names of Agency employees in attendance.

**Method of Calculation**

Meeting totals are reported as of 1/30, 2/28, 5/31 and 8/31. Annual total is the sum of the quarterly reports.

**Data Limitations**

None

**Calculation Type**

Non-cumulative

**New Measure**

No

**Target Attainment**

Higher than target

**SCHEDULE B: PERFORMANCE MEASURE DEFINITIONS**

<b>Agency:</b>	Office of the Texas Secretary of State	
<b>Goal:</b>	3	International Protocol
<b>Objective:</b>	I	Provide Protocol Services and Representation on Border Issues
<b>Strategy:</b>	I	Provide Protocol Services and Representation on Border Issues

**Outcome Measure:** Number of Border Events Attended

**Definition**

Number of Border Events Attended

**Purpose/Importance**

This number demonstrates the effectiveness of the State’s effort to participate in events, meetings, and functions related to coordination and cooperation with Mexico and with local, state and federal entities in the border region.

**Source/Collection of Data**

A border event is an event organized to promote cooperation in the border region. Included are conferences, planning sessions, trade missions, and fact-finding missions. Border events may be organized by the Secretary of State or another stakeholder entity. The total number of events which the agency has organized or has attended is recorded on the Border Events Log showing meeting date, location of meeting, officials’ names, name of stakeholder groups represented, a summary of the discussion/purpose, and the names of Agency employees in attendance. Numbers reported as of 11/30, 2/28, 5/31, and 8/31.

**Method of Calculation**

The number of meetings is totaled and reported monthly, quarterly and annually.

**Data Limitations**

None

**Calculation Type**

Non-cumulative

**New Measure**

No

**Target Attainment**

Higher than target

## **HISTORICALLY UNDERUTILIZED BUSINESS PLAN**

### **I. POLICY STATEMENT**

- A. The State of Texas is committed to providing procurement and contracting opportunities for minority and woman-owned businesses. It is the state's policy to create an environment that will enhance Historically Underutilized Business (HUB) participation in state procurement and contracts.
- B. The Agency will make a good faith effort to utilize HUBs in contracts for services (including professional and consulting services) and commodities purchases.
- C. The Agency shall make a good faith effort to assist HUBs in receiving a portion of the total contract value of all contracts that the Agency expects to award in a fiscal year in accordance with the following percentages:
  - 1. 32.9% for all special trade construction contracts;
  - 2. 23.7% for professional services contracts;
  - 3. 26% for all other services contracts; and
  - 4. 21.1% for commodities contracts.

Two goals (Heavy Construction at 11.2% and Building Construction at 21.1%) are inapplicable because the Agency does not anticipate funding these types of construction at any time during this reporting period.

- D. Special efforts will be made to assist HUBs in becoming certified by the Texas Comptroller of Public Accounts, Procurement & Support Services ("TPASS"). Assisting them in obtaining certification will benefit the Agency as well as other agencies utilizing the same HUBs in the future.

### **II. AGENCY RESPONSIBILITIES**

- A. The Agency will utilize TPASS's directory of certified HUBs, in accordance with Tex. Govt. Code Ann. § 2161.064, and other available HUB directories to establish bid lists for the advertisement of products and services needed.
- B. The Agency will utilize this HUB policy as the basis for attaining the HUB contracting goals as outlined in Tex. Govt. Code Ann. § 2161.181 and §2161.182 and CPA, rule 34 TAC §20.284 TAC. (Goals are outlined in I., C. above.)
- C. The Agency will sponsor and participate in Economic Opportunity Forums which will provide contract opportunities and training for HUBs.
- D. Our HUB Coordinator and Purchasing staff will seek to obtain training to assist in increasing HUB participation, contracting and training.

A general description of the Secretary of State's compliance with Texas Government Code 656.052 Training and Certification for Contract Managers.

The Secretary State purchasing department consists of three full-time employees: a manager and two purchaser positions. Certifications were obtained through the Texas Comptroller of Public Accounts office.

Our management position holds certifications in Certified Texas Contract Manager (CTCM), and Certified Texas Contract Developer (CTCD).

Classes taken to obtain mentioned certifications are as follows:

- CPA Ethics Laws and Professional Standards
- CPA Renewal Refresher
- DIR Cooperative and Shared Services
- CPA Enhanced Contract Monitoring
- CPA Texas Contract Management Certification Training
- Texas Contract Developer Certification Training (CTCD)
- Webinars pertaining directly to purchasing policy and procedures

- E. The Agency shall:
1. Develop contract specifications to encourage economically disadvantaged businesses to participate in its acquisition of commodities and services;
  2. Ensure that delivery schedules are consistent with the Agency's actual requirements;
  3. Ensure that the terms, conditions, and specifications advertised reflect the Agency's actual needs, are clearly stated and do not impose unreasonable or unnecessary contract requirements;
  4. Encourage HUB subcontracting whenever possible;
  5. Identify potential subcontracting opportunities and require a HUB subcontracting plan for contracts of \$100,000 or more, where such opportunities exist;
  6. Submit a supplemental letter with the HUB Report identifying appropriate alterations in HUB goals when applicable.

### III. TYPES OF PURCHASES

- A. The Agency will ensure that bids are obtained from businesses which normally sell the goods and services being purchased.

B. Delegated Purchases

1. Purchases under \$5,000: The Agency will purchase from a HUB to the fullest extent possible while obtaining the lowest and best bid.
2. Purchases from \$5,001 to \$25,000 (excluding Dept. of Information Resources established statewide contract purchases) require at least three bids from vendors included on CPA's Centralized Master Bidders List, including at least one bid from a HUB certified business. Informal bids will be obtained for purchases of \$5,001 to \$25,000, and formal bids for purchases of \$25,000 or more for commodities and \$25,000 to \$100,000 for services.

<b>Procurement Category</b>	<b>% with HUBs FY 2020</b>	<b>% with HUBs FY 2021</b>
Special Trade	None	None
Professional Services	0%	0%
Other Services	38.15%	11.63%
Commodities	73.47%	18.79%
Total Percentage with HUBs	42.69%	11.71%



**Office of the Texas Secretary of State**  
**Workforce Plan**

**FY2023-2027**

## **I. Agency Overview**

The Office of the Secretary of State is an agency created by the Texas Constitution. Since its creation, the Agency has been given numerous duties by the actions of the Legislature. The Secretary of State is the chief elections officer of the State, the principal repository of most business related filings, publisher of the Texas Register, and manager of several special purpose appropriations.

The Office is organized into six functional divisions: Executive, Administrative Services, Elections, Ensuring Elections Integrity (Forensic Audit Division), Information Technology, and Business, Commercial, and Public Filings, which includes the Business Entity Filings, Uniform Commercial Code, and Government Filings sections.

Currently the agency is budgeted for 207 FTEs for FY2022 / 207 FTEs for FY2023 and anticipates an increase of 16 additional FTEs over the next five years. The additional increase of 16 FTEs are needed to facilitate new duties assigned to the Agency through legislation adopted by the 87<sup>th</sup> Legislature.

### **A. Agency Mission**

The mission of the Office of the Secretary of State is to provide a secure and accessible repository for public, business, and commercial records and to receive, compile, and provide information. In addition, our mission is to ensure the proper conduct of elections, to maintain the official statewide list of registered voters, to authorize the creation and registration of business entities, and to publish state government rules and notices. Additionally, we serve as liaison to the Governor on Texas-Mexico border issues. We also serve as Chief International Protocol office for the State. We assist our staff with personal and professional development; promote a diverse workforce and the effective use of resources.

**B. Strategic Goals and Objectives**

The Office of the Secretary of State has three main goals:

<b>Goal 1</b>	<b>Provide and Process Information Efficiently; Enforce Laws/Rules</b>
Objective	<ul style="list-style-type: none"> <li>• Process Documents &amp; Provide Accurate &amp; Reliable Information on a Timely Basis</li> <li>• File &amp; Publish Administrative Rules and Agency Public Notices</li> </ul>
Strategy	<ul style="list-style-type: none"> <li>• File/Reject Statutory Filings</li> <li>• Publish the Texas Register and Texas Administrative Code</li> </ul>
<b>Goal 2</b>	<b>Maintain Uniformity &amp; Integrity of Elections; Oversee Election Process</b>
Objective	Interpret Election Laws/HAVA; Publish Constitutional Amends; Reimburse Election Costs
Strategy	<ul style="list-style-type: none"> <li>• Provide Statewide Elections Administration</li> <li>• Manage Primary Election Funds; Reimburse Voter Registration Postage</li> <li>• Publish and Interpret Constitutional Amendments</li> <li>• Administer the Federal Help America Vote Act (HAVA)</li> </ul>
<b>Goal 3</b>	<b>International Protocol</b>
Objective	<ul style="list-style-type: none"> <li>• Provide protocol services; to encourage cooperation between local, state, and federal governments.</li> <li>• Provide protocol services and representation on Border Issues and Mexican Affairs. Encourage cooperation on issues relating to Mexico and the border.</li> </ul>
Strategy	<ul style="list-style-type: none"> <li>• Provide protocol services; to represent the Governor and the State of Texas at meetings, events, and conferences with the diplomatic corps, government officials, and business leaders.</li> <li>• Monitor issues relating to Mexico and the border and recommend action.</li> <li>• Work with Mexican federal, state and local officials on issues affecting Texas, Mexico and the border region.</li> </ul>

**C. Anticipated Changes in Strategies**

The Agency is requesting no changes in the strategies for the FY 2023-25 biennium.

**II. Current Workforce Profile (Supply Analysis)**

**A. Critical Workforce Skills**

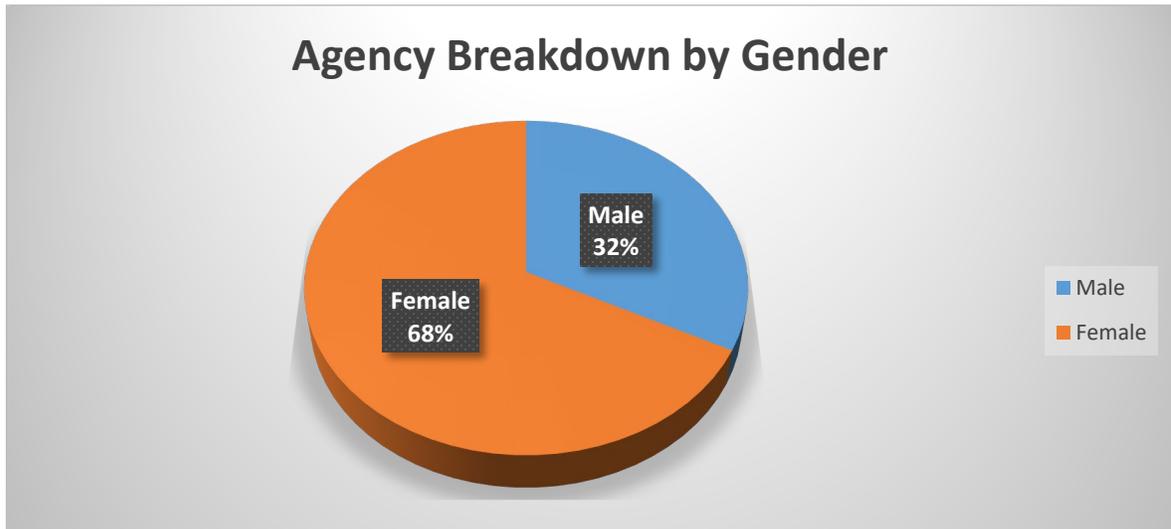
The following workforce skills are critical to the successful operation of the Office of the Secretary of State.

Communication Skills (Listening, Verbal, and Written)	Interpersonal Abilities
Leadership/Management	Teamwork
Analytical/Problem Solving	Flexibility/Adaptability
Managing multiple projects	Customer Service
Development and maintenance of computer systems.	Administrative/Clerical
Personal computer skills	Legal
Administrative management	Document publishing
E-Commerce	Financial management
Database management	Grant management

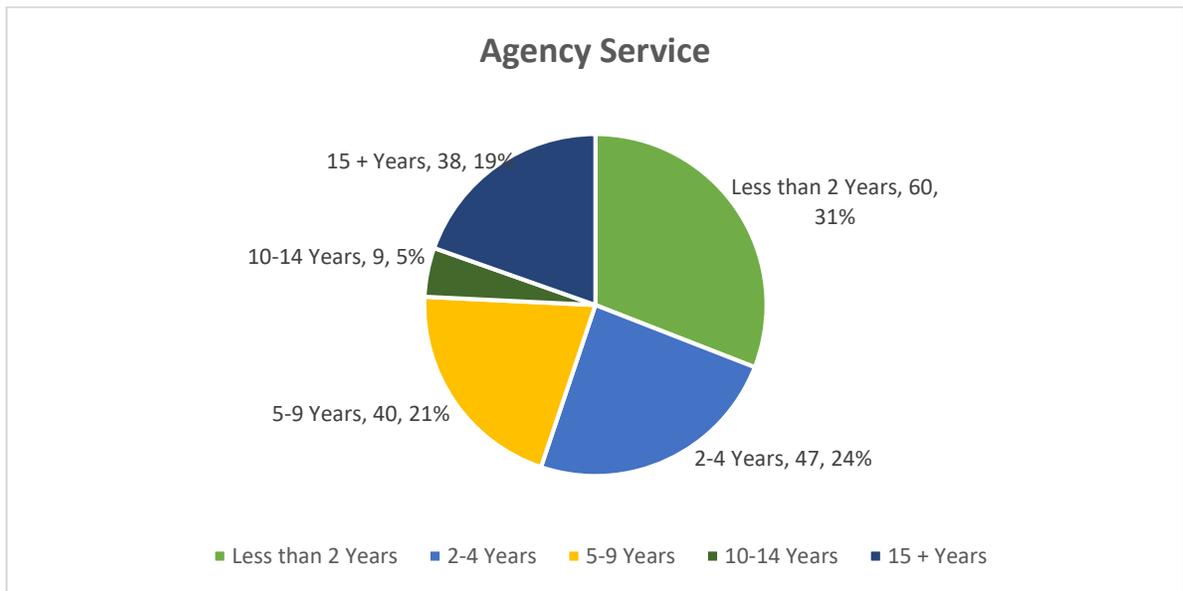
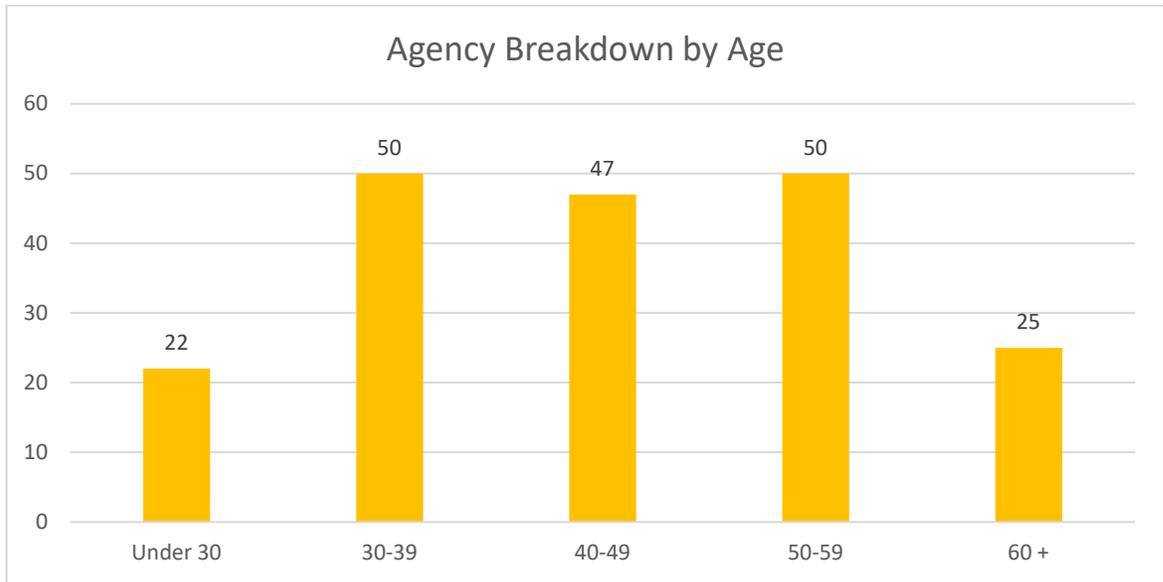
**B. Workforce Demographics**

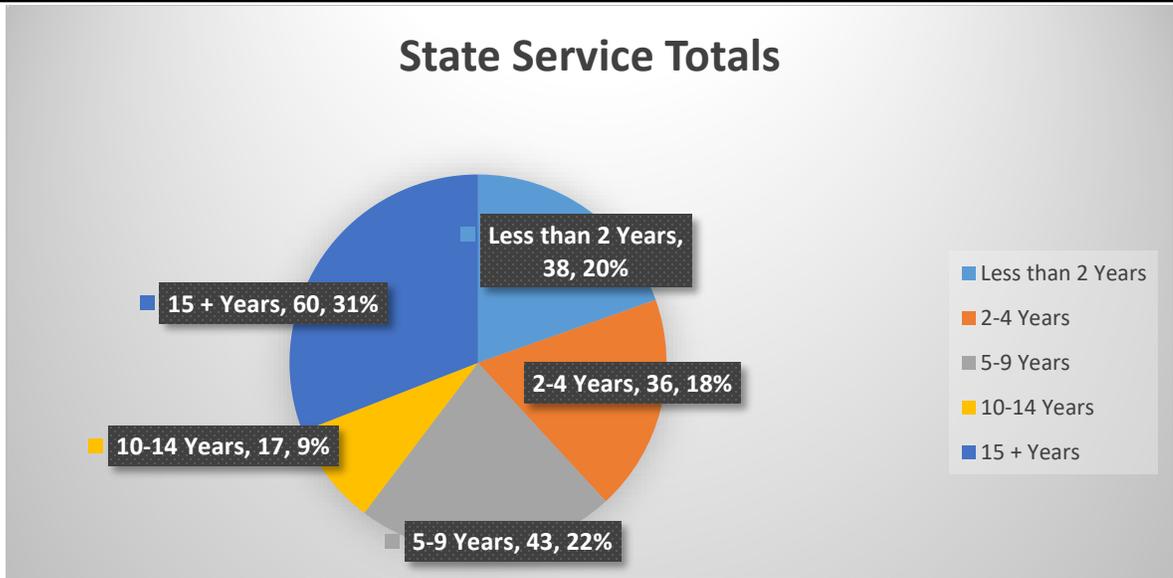
The following chart profiles the agency’s workforce as of April 2022, and includes both full-time and part-time employees. The agency’s workforce is comprised of 68 percent females and 32 percent males. 63 percent of our agency workforce is over the age of 40 and 37 percent is under the age of 40.

**Workforce Breakdown**



Schedule F – Agency Workforce Plan





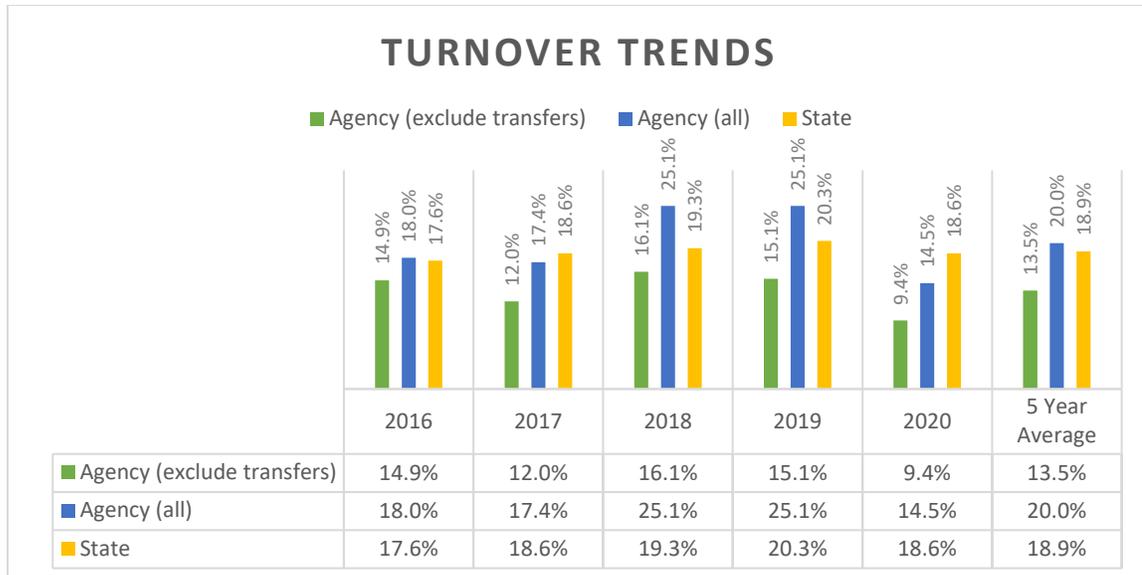
The following table compares the percentage of full-time African American, Hispanic, and Female Secretary of State employees (as of April 2022) to the statewide civilian workforce as reported by the Texas Workforce Commission.

There are several areas of under-represented classes that the Agency should address. Those particular cases are highlighted below.

Job Category	African American		Hispanic American		Females	
	SOS %	State %	SOS %	State %	SOS %	State %
<b>Administrators</b>	7.69	8.54	23.08	24.74	38.46	41.71
<b>Professional</b>	20.69	10.90	20.69	21.77	62.07	54.13
<b>Technical</b>	13.33	15.05	20.00	29.75	13.33	56.85
<b>Para-Professional</b>	8.62	n/a	32.76	n/a	82.76	n/a
<b>Administrative Support</b>	22.78	15.05	35.44	36.53	73.42	74.74

**Employee Turnover**

Over the past five years, the Agency averaged a turnover rate for all agency terminations including transfers to other state agencies of 20% and 13.5% excluding transfers to other state agencies compared to the statewide average of 18.9%. In FY 2020 the Agency’s turnover rate was below the state average: however, this is a unique situation brought about by the COVID-19 pandemic. The following graph compares the Agency’s average turnover to the statewide turnover over the last five years.



**D. Retirement Eligibility**

Over the next five years retirement will not account for the majority of separations within the agency.

Projected Agency Terminations      Projected Agency Retirements

FY23	44	6
FY24	44	6
FY25	44	6
FY26	44	6
FY27	44	6

---

### **III. Future Workforce Profile (Demand Analysis)**

#### **Expected Workforce Changes**

The Agency will continue to increase use of technology to improve efficiency and deliver better customer services. Higher technical skill levels will be required in managers, information technology staff, and in front line employees. Increasingly, employees will need to be cross-trained in more than one functional area as human resources are shifted to meet performance measures and improve customer service. Given the state budgetary constraints, the agency has not been able to increase staffing or funding even when a workload increase was demonstrated. With these limitations, the agency must increasingly rely on technological advances as a means of meeting customer demands. We expect the demand for services to increase as the population of Texas continues to grow.

#### **Future Workforce Skills Needed**

Project management skills will be increasingly important as the life cycle of information systems shortens. Customer service skills are critically important in the information age where our customers expect better, faster, and more accurate information. As the demographics of Texas change, the Agency anticipates the need for more multi-lingual employees in order to serve all our customers.

#### **Anticipated Increase/Decrease in Number of Employees Needed to Do the Work**

Due to the need for fiscal constraint in the state, the Agency anticipates no overall change in the authorized number of full-time equivalent employees. The Agency has heretofore manages the anticipated increases in workload by improving efficiencies and allocating human resources to maximize customer service. However, we have reached a point that we must have additional workers if additional duties are given to the Agency. If we are able to reduce workforce in one area we will cross-train staff that are willing to re-locate to other areas that are in need of help to meet performance measures. It is anticipated that the Legislature will add new programs or responsibilities to the Elections Division in future legislative sessions, and funding will have to be provided for those new functions or existing programs within the Agency will have to be deleted. It is hoped that technological advances will help to alleviate workloads and allow some personnel shifts necessary as a result of those increased workloads.

#### **Critical Functions**

The Agency must continue to encourage its customers to become partners. An informed customer base is critical in maximizing the mutual benefits that accrue from an increasingly sophisticated infrastructure. It is no less true that employers must train employees effectively to deal with all customers.

---

## **IV. Gap Analysis**

### **Anticipated Surplus or Shortage of Workers or Skills**

The condition of the local economy has a powerful influence over the labor pool available to state government. The agency has tenured employees with a considerable amount of institutional knowledge of agency operations and applicable laws and regulations. The agency's turnover rate has increased over the last five years and is projected to rise in the foreseeable future so one would expect that the skill and experience level of the personnel will decrease, and the agency will need to expand its recruitment efforts. The primary challenge affecting the agency's ability to recruit and retain mission critical skills is the low pay afforded by the agency's budget restraint. The HR department has noticed that the more specific the job skill requirements are the more difficult recruiting has been. As the Texas economy expands and unemployment rates decrease, we can expect that employees will seek employment in a sector (including other state agencies) that provides significantly higher pay for like positions. Some employees have thorough job knowledge and excel in clerical tasks given to them, but lack certain analytical and technical skills. This gap can be narrowed by offering necessary training to existing personnel, as current salaries will not attract applicants with the analytical and technical skills needed. All current job functions will continue to be required.

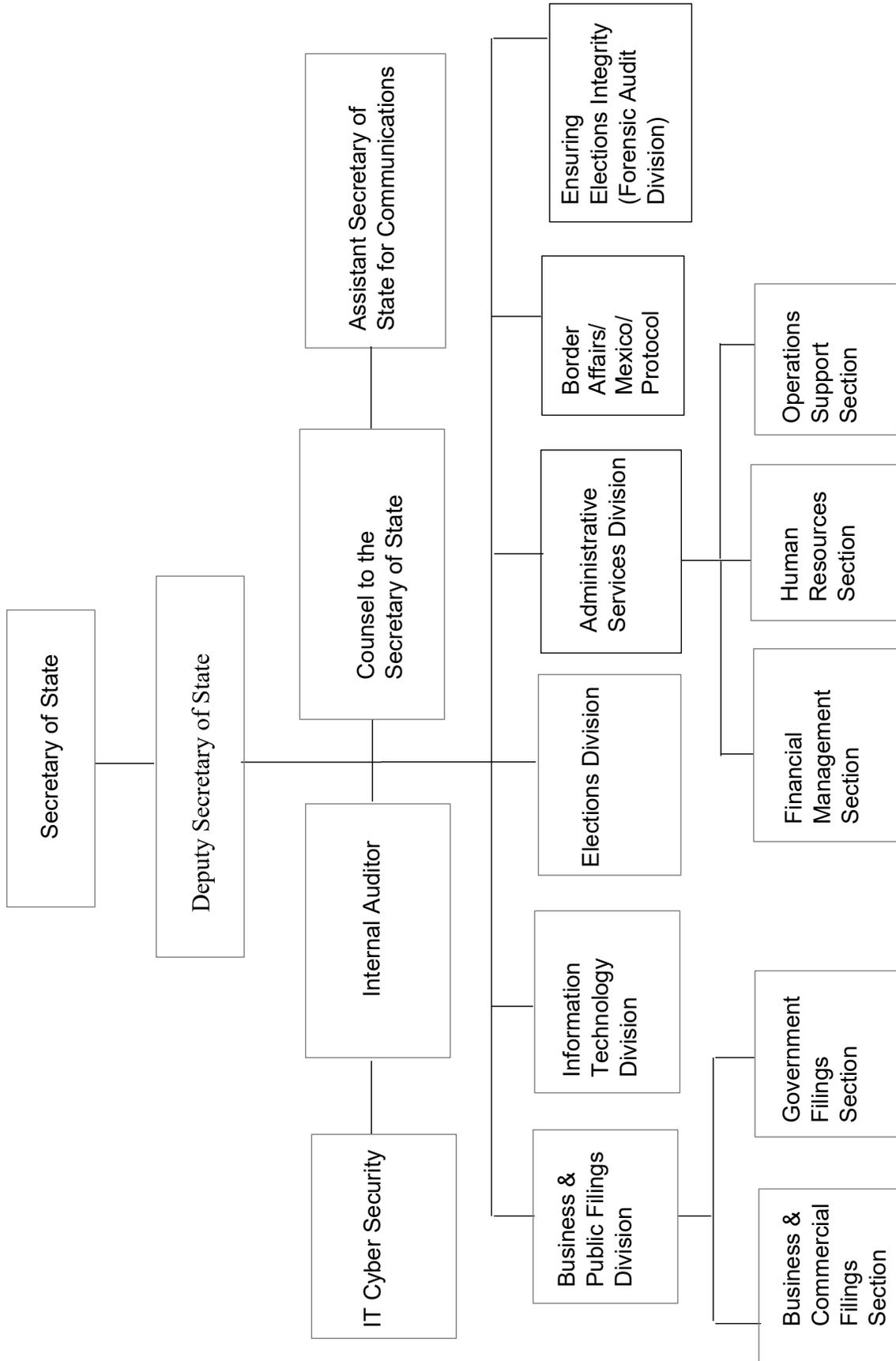
## **V. Strategy Development**

The Agency plans to reallocate full-time equivalent employees at least once in each biennium. As electronic filing and electronic access to public information expands, employees will be reallocated to maximize the Agency performance outcomes.

To attract and retain qualified employees, the Agency must be funded at a sufficient level that will allow the Agency to fill all 207 FTE positions, increase the salaries of the Agency's underpaid job classifications, and reclassify tenured and experienced professionals and IT staff. The Agency's entry-level paraprofessional staff - namely, Administrative Assistants and Customer Service Representatives - continue to be paid less than the statewide average annual salary. In the case of the Agency's professional staff - specifically, the Agency's Attorney series, experienced attorneys in the Business and Public Filings Division and the Elections Division are overdue for a reclassification and an increase in salary. Current funding and budgetary constraints make regular reclassifications of key personnel a challenge. Reclassifications and adjustments to salary are needed to remain in parity with other state agencies seeking experienced staff to perform similar work. Additionally, the median annual salary of a Programmer IV position is \$64,896.00. This salary is below the midpoint of the B25 salary schedule, and is significantly less than the statewide average for this classification. To remain competitive with other state agencies and with the private sector, an adjustment to salaries for the positions listed above must be made if the Agency is to attract qualified applicants for these positions. Further, if we are to retain current staff, we must make adjustments to the current salaries paid to qualified employees.

When the agency is faced with budget constraints we need to consider nonfinancial factors for influencing employee motivation and engagement. The Agency will continue to utilize all authorized compensation and retention programs, such as performance rewards, one-time merit salary awards, and return to work programs, to the extent of available funding. Employee training will be a high priority in the workforce transition required to meet future challenges. The Agency currently pays for certifications or licenses that are directly related to the individual employee's business function in the agency. Flex scheduling is currently available in the agency by allowing employees to stagger their work hours. The agency implemented a telecommuting program during the COVID-19 pandemic and continued the program for all eligible personnel allowing eligible employees the opportunity to work from home at a minimum of two days per week.

Although the agency does not have a formally designated succession-planning program, the Agency utilizes a variety of practices and procedures that collectively contribute to the continuity of competent personnel in critical positions. The Agency recognizes and retains potential future leaders through pay raises and promotions, training opportunities, mentoring, and job assignments. This program is designed to ensure continuity in key or critical positions and identify individuals with the potential to assume new roles and higher levels of responsibility. It creates opportunities for professional growth through voluntary mentoring and tailored training, and retains critical program knowledge and information.



**Schedule H - Report on Customer  
Service  
Fiscal Year 2022**

**The Office of the Secretary of State**



**June 1, 2022**

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## AGENCY MISSION

The mission of the Office of the Secretary of State is to provide a secure and accessible repository for public, business, and commercial records and to receive, compile, and provide information. In addition, our mission is to ensure the proper conduct of elections, authorize the creation and registration of business entities, and to publish state government rules and notices. Finally, the Secretary of State serves as the liaison to the Governor for Texas-Mexico issues, as well as Texas' Chief International Protocol Officer. We assist our staff with personal and professional development, as well as promote and develop a diverse workforce and effective use of resources.

## AGENCY PRINCIPLES

- To provide accurate, reliable, and timely access to information; maximize the efficiency of document processing; and take actions to ensure compliance with laws and rules.
- To obtain and maintain uniformity and integrity in the conduct of elections statewide while overseeing the election process in the state.
- To increase voter registration.
- To maximize efficiency of services.
- To educate and advise our service population.
- To recruit, train and retain qualified employees, and develop and maintain a diverse and representative workforce.
- To establish and carry out policies governing purchasing and other contracting that foster meaningful and substantive inclusion of historically underutilized businesses.

## AGENCY DUTIES

### EXECUTIVE

The Secretary of State is one of six officials named in the Texas Constitution who form the Executive Branch of the State's government.



The Secretary is appointed by the Governor and confirmed by the Senate. The Secretary of State handles a wide range of duties imposed by Statute, Executive Order and the Texas Constitution. The Secretary of State serves as the Governor's liaison for Mexico and the Border region as Border Commerce Coordinator. As Chief International Protocol Officer for Texas, the Secretary of State receives international dignitaries and delegations on behalf of the Governor and the State of Texas.

<http://www.sos.texas.gov/about/duties.shtml>

### BUSINESS ENTITIES

The Business and Commercial Filings Section of the Business & Public Filings Division is comprised of two business units, the Business Entities Filings unit and the Commercial Liens, Registrations & Reports unit (formerly known as the Uniform Commercial Code Section). The Business Entities Filings unit is the filing office for documents relating to corporations, professional associations, limited partnerships, and limited liability companies. Additionally, the unit is responsible for the review and filing of applications for registration of state trademarks; assumed names for incorporated entities as well as limited partnerships and limited liability companies; unincorporated non-profit associations; and financial institution filings designating registered agents.



<http://www.sos.state.tx.us/corp/index.shtml>

### **UNIFORM COMMERCIAL CODE (Commercial Liens, Registrations & Reports)**

The Secretary of State and the county clerks are filing officers for financing statements under the Uniform Commercial Code evidencing that a debtor and a secured party intend to engage in a secured transaction using specified collateral as security. In addition, the Secretary of State is the filing officer for utility security agreements under the Texas Business & Commerce Code, transition property notices under the Utility Code, notice of federal liens, restitution liens, aircraft maintenance liens, contract agricultural liens, agricultural chemical and seed liens, and liens for animal feed. The Commercial Liens, Registrations & Reports unit also handles limited liability partnership registrations, as well as annual and periodic reports for business entities. Further, the unit also registers solicitors, automobile clubs, health spas, dental support organizations, business opportunities, and athlete agents.



### **GOVERNMENT FILINGS**

The Government Filings Section commissions notaries public. All appointed state officers are required to file a statement with the section prior to taking the oath of office. The section issues commissions to gubernatorial appointees. In addition, the section handles all filings made by or on behalf of governmental bodies. The section also issues Apostilles and Authentication certificates when documents that have been notarized by a Texas notary public or certified by a state official have to be sent and filed in another state or country. Further, the section

accepts service of process when the Secretary is designated as a process agent by statutes authorizing the Secretary of State to accept service on behalf of another person.

<http://www.sos.texas.gov/statdoc/index.shtml>

In addition, the section is responsible for the online publication of the Texas Register, a weekly publication containing proposed and adopted state agency rules; the compilation of adopted rules and online publication of those rules in the Texas Administrative Code; and acceptance and online publication of Open Meetings postings.

<http://www.sos.texas.gov/texreg/about.shtml>

### **ELECTIONS**

The Secretary of State is the chief election officer for the State of Texas. As chief election officer, we provide assistance and advice to election officials on the proper conduct of elections. This includes hosting election law seminars, webinars, certificates of elections, online poll worker training, mass email advisories with detailed election instructions, instructional manuals, calendars, ballot certification, election night returns, limited election funding, election forms and documents to election officials. The Elections Division administers funding to voter registrars pursuant to Chapter 19 of the Election Code, which is intended to improve voter registration efforts at the local level. In addition, the Elections Division distributes funding to the political parties to help finance primary elections. The division designs, prints and pays for the business reply postage for voter registration applications on behalf of the counties. The Elections Division provides assistance to the general public on voter registration and other election issues through our 1-800 toll-free number, 1-800-252-VOTE (8683), and via the Internet at [elections@sos.texas.gov](mailto:elections@sos.texas.gov). The Elections



Division reconstitutes jury wheels for all 254 counties on an annual or multiyear basis and provides a jury management tool for 115 counties to manage jurors and jury selection. With passage of the federal Help America Vote Act of 2002 (HAVA), the Secretary of State has successfully administered the federal funds associated with HAVA. The division will use funds to comply with federal mandates requiring accessible voting systems, provisional voting and use of the state official voter registration list. HAVA charges the Secretary of State with developing a statewide, official list of registered voters and requires all new registrations to be validated through the Department of Public Safety. The HAVA compliant statewide system, originally became operational in December 2006, replacing the previous online voter registration application maintained by the

Secretary. In 2015, the system was redeveloped to remain compliant with HAVA and the current statutes. In addition, to all 254 Texas counties utilizing Texas Election Administration System (TEAM) to store and manage the official list of registered voters, 215 counties use TEAM as their primary tool to enter and validate voter registration data on a real-time basis. In FY 2020 the Secretary of State received HAVA funds to strengthen election security and improve election administration in addition to receiving funds under the Coronavirus Aid, Relief and Economic Security (CARES) Act, to prevent, prepare for, and respond to coronavirus, domestically or internationally, for the 2020 Federal election cycle.

<http://www.sos.texas.gov/elections/index.shtml>



## CUSTOMER SERVICE

The Office of the Secretary of State is dedicated to providing accurate, reliable, and timely services. We will act in accordance with the highest standards of ethics, accountability, efficiency, and openness. It is the purpose of the Office of the Secretary of State to serve the public. If you are not happy with the service you have received or if you have had a positive experience, please direct your comments to:

Sam Taylor  
 Assistant Secretary of State for Communications  
 Office of the Secretary of State  
 P.O. Box 12697  
 Austin, Texas 78711  
 OR  
 Phone (512) 463-6116; Fax (512) 475-2761  
[SMTaylor@sos.texas.gov](mailto:SMTaylor@sos.texas.gov)

All complaints will be reviewed and a response given within 10 business days.

## AGENCY CONTACTS

Secretary of State	Executive	John Scott	Phone: (512) 463-5770 Fax: (512) 475-2761	<a href="mailto:JScott@sos.texas.gov">JScott@sos.texas.gov</a>
Deputy Secretary of State	Executive	Joe Esparza	Phone: (512) 463-5770 Fax: (512) 475-2761	<a href="mailto:JEsparza@sos.texas.gov">JEsparza@sos.texas.gov</a>
General Counsel	Executive	Adam Bitter	Phone: (512) 463-5770 Fax: (512) 475-2761	<a href="mailto:ABitter@sos.texas.gov">ABitter@sos.texas.gov</a>
Border Affairs /Protocol Liaison	Executive	Corey Rose	Phone: (512) 463-5748 Fax: (512) 475-2761	<a href="mailto:CRose@sos.texas.gov">CRose@sos.texas.gov</a>
Division Director	Business & Public Filings	Carmen Flores	Phone: (512) 463-5588 Fax: (512) 463-5709	<a href="mailto:CFlores@sos.texas.gov">CFlores@sos.texas.gov</a>
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Division Director	Elections	Keith Ingram	Phone: (512) 463-9871 Fax: (512) 475-2811	<a href="mailto:KIngram@sos.texas.gov">KIngram@sos.texas.gov</a>
Division Director	Forensic Audit	Chad Ennis	Phone: (512) 536-8475 Fax: (512) 475-2808	<a href="mailto:CEnnis@sos.texas.gov">CEnnis@sos.texas.gov</a>
Division Director	Information Technology	Dan Teczar	Phone: (512) 463-5640 Fax: (512) 475-5678	<a href="mailto:DTeczar@sos.texas.gov">DTeczar@sos.texas.gov</a>
Division Director	Admin Services	Vincent Houston	Phone: (512) 463-5593 Fax: (512) 475-2819	<a href="mailto:VHouston@sos.texas.gov">VHouston@sos.texas.gov</a>

**A.1.1.**

*File or reject Business Entity, Uniform Commercial Code, Notary Public and other statutory filings, and maintain and disseminate information derived from those filings.*

Types of Service	External Customers
File documents/Disseminate Public Information, including certificates of fact evidencing filing with this office.	Service Companies, Financial Institutions, Banks, Savings and Loans, Lending Institutions, Businesses, General Public, Attorneys, Paralegals, Federal Governmental Agencies, State Governmental Agencies, County Governmental Agencies, Local Governmental Agencies, Private Investigators, Title Companies, and Investors.
Issue Commissions	Notaries Public and Appointed State Officers
Record Statements of Officer	Appointed State Officers

**A.2.1.**

*Publish the Texas Register and the Texas Administrative Code.*

Types of Service	External Customers
Provide free Internet publication of the Texas Register, Texas Administrative Code, and Open Meeting notices	Libraries, General Public, State Government, Local Government, Schools and Universities, Members of the Legislature, Courts and Judges, Governor, Lieutenant Governor, Attorney General, Attorneys, Banks, Associations, and Licensed Professionals.

**B.1.1.***Provide statewide elections administration.*

Types of Service	External Customers
Assistance and Advice	County Clerks, Voter Registrars, Elections Administrators, County Chairs, County Judges, Commissioners, City Election Officers, School Election Officers, Other Political Subdivision Election Officers, Water Districts, Hospital Districts, Library Districts, Candidates
Voter Registration information and applications, and general election information.	All Citizens

**B.1.2.***Administer Primary Election Funds and Voter Registration Postage.*

Types of Service	External Customers
Issue administrative rules regarding expenditure of primary funds and disburse funds.	County and State political parties
Fund each county's postal reply mail permit account, which allows the official voter registration application to be mailed by applicants to the appropriate county voter registrar without applying postage.	County Voter Registrars

**B.1.3.***Publish and Interpret Constitutional Amendments.*

Types of Service	External Customers
Publish explanatory statements of each constitutional amendment on the ballot in all newspapers of general circulation and mail a Spanish translation of each explanatory statement to all Hispanic households with a registered voter.	All Citizens

**B.1.4.***Provide Elections Improvement.*

Types of Service	External Customers
Provide assistance and advice regarding provisional voting and new federal voting system standards.	County Election Officers, County Clerks, Elections Administrators, and Voter Registrars.
Maintain official statewide list of registered voters.	County Voter Registrars / Elections Administrators
Provide a citizen administrative grievance procedure for violations of federal law.	County Judges, Commissioners, City Election Officers, School District Election Officers, Other Political Subdivision Election Officers, Water Districts, Hospital Districts, Library Districts, Candidates, All Citizens
Distribute HAVA grants to eligible counties.	Counties

**B.1.5.***Voter Registration*

Types of Service	External Customers
Payment to counties for eligible Voter Registration Activity.	County Voter Registrars

**C.1.1.***Protocol/Border Affairs*

*To provide protocol services; to represent the Governor and the State of Texas at meetings, events, and conferences with the diplomatic corps, government officials, and business leaders; To monitor issues relating to Mexico and the Border and recommend action.*

Types of Service	External Customers
Act as Liaison to Governor/Assist with activities	Diplomatic Missions to the U.S.
Coordinate events and projects	Multi-National Organizations
Disseminate information/Coordinate projects	State Governmental Agencies, Federal Governmental Agencies, Local Governmental Agencies, Mexican Governmental Agencies, Binational Agencies, Non-Profit Agencies, and Private Entities.

**D.1.1.***Indirect Administration*

Types of Service	External Customers
Provide indirect administrative support for all programs	All internal and external customers

*Develop and implement a plan for increasing the use of historically underutilized businesses through purchasing and other contracting.*

Types of Service	External Customers
Any products or services needed by the Agency	Business Entities



## Outcome Measures

1. Percentage of Surveyed Customer Respondents Expressing Overall Satisfaction with Service Receive.....56.11%

## Output Measures

1. Total Customers Taken the Survey .....143
2. The percentage of total customers surveyed who completed the survey .....<1%
3. Total Customers Offered Survey .....2,833,908

*\*Unique Access to Agency Webpages that Contain the Survey Link*

## Efficiency Measures

1. Cost per Customer Surveyed .....\$0.34

*\*Number of Survey Responses divided by 2 months' subscription cost of Survey Monkey software*

*\*Agency resources (such as agency labor hours and IT resources) are not included in the calculation*

## Explanatory Measures

1. Total Customers Identified .....2,833,908
2. Total Customers Groups Inventoried.....7

In order to reduce costs to both the Agency and the customer, the Agency utilizes a web-based customer survey methodology. First, the customer survey form was posted on the Agency web site where any visitor to the site could evaluate the services received. Second, we included in all outgoing email by staff a tagline and link to the survey encouraging our customers to complete the customer satisfaction survey form on the web site. Finally, we included the survey link on monthly customer statements. The survey period ran from April 1, 2022 through May 15, 2022.

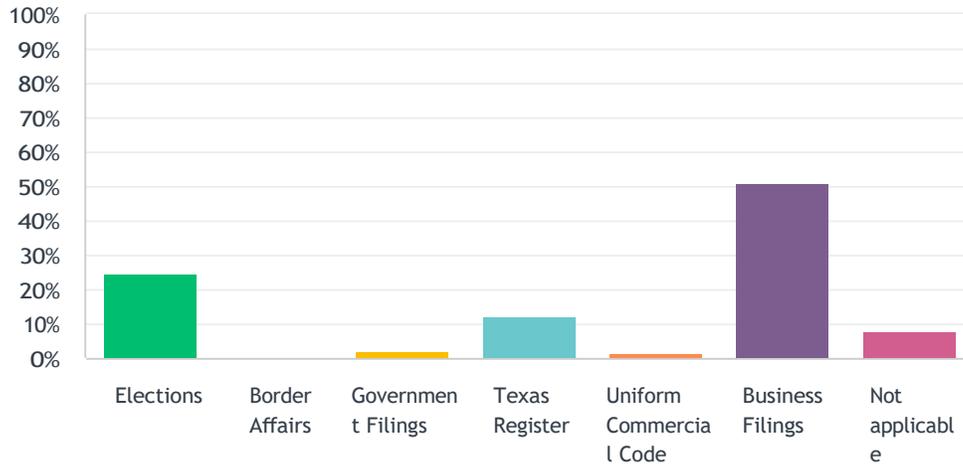
No customer groups were consciously excluded, but the survey may not have reached all customer groups if no representative of that group accessed our web site or received an email or a monthly statement during the survey period. All major customer groups, however, have web access to the survey form. The randomness at which customers access our web site and received email would create randomness in the selection of customers to be surveyed.

The Agency's customer service representative is Sam Taylor, Assistant Secretary for Communications, Office of the Secretary of State, P.O. Box 12697, Austin, Texas 78711 or phone (512) 463-6116; fax (512) 475-2761; email: [SMTaylor@sos.texas.gov](mailto:SMTaylor@sos.texas.gov)

**DIVISIONS**

Q1 My responses are for:

Answered: 141 Skipped: 2

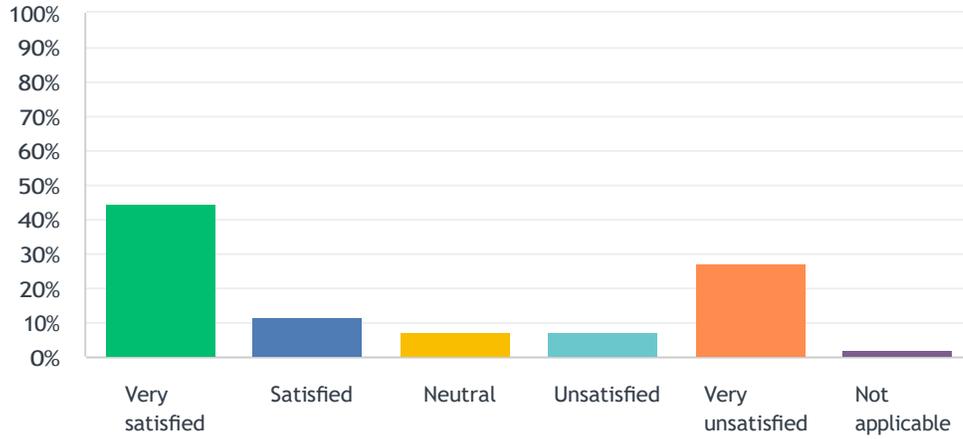


ANSWER CHOICES	RESPONSES	
Elections	24.82%	35
Border Affairs	0.71%	1
Government Filings	2.13%	3
Texas Register	12.06%	17
Uniform Commercial Code	1.42%	2
Business Filings	51.06%	72
Not applicable	7.80%	11
<b>TOTAL</b>		<b>141</b>

**I. GENERAL/OVERALL**

Q2 I am satisfied with the services I receive.

Answered: 139 Skipped: 4

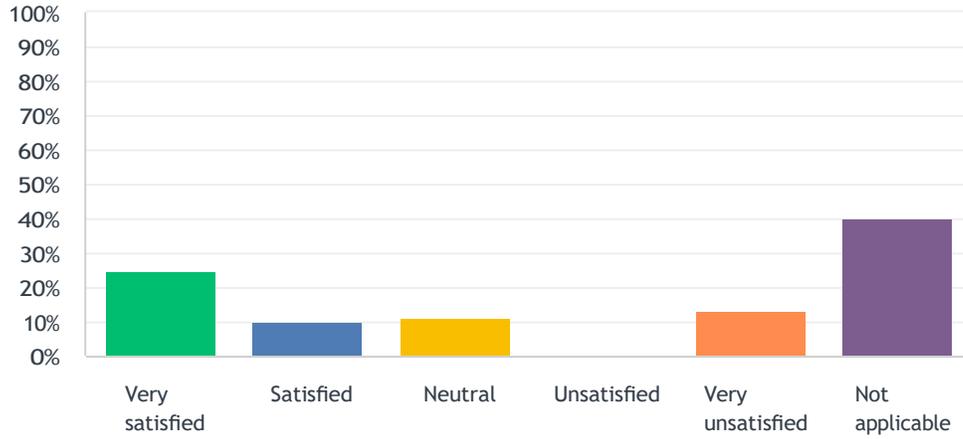


ANSWER CHOICES	RESPONSES	
Very satisfied	44.60%	62
Satisfied	11.51%	16
Neutral	7.19%	10
Unsatisfied	7.19%	10
Very unsatisfied	27.34%	38
Not applicable	2.16%	3
<b>TOTAL</b>		<b>139</b>

**II. FACILITIES**

Q3 How satisfied are you with the agency's facilities, including your ability to access the agency, the office location, signs, and cleanliness?

Answered: 137 Skipped: 6

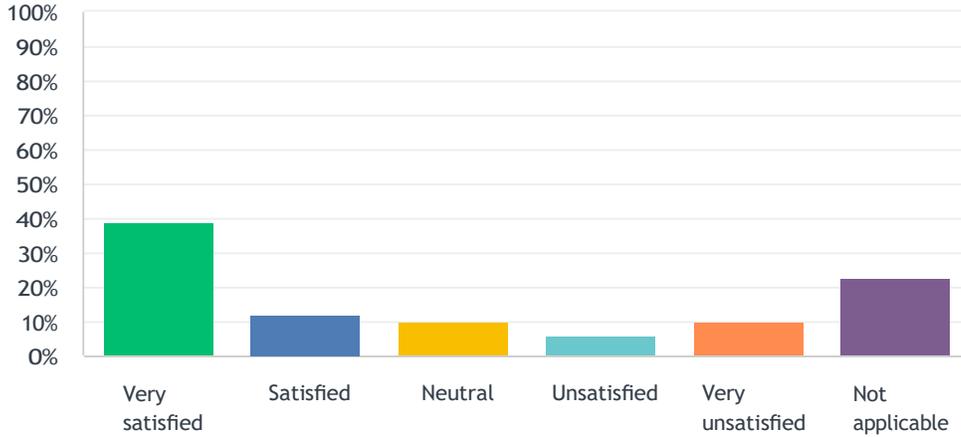


ANSWER CHOICES	RESPONSES	
Very satisfied	24.82%	34
Satisfied	10.22%	14
Neutral	10.95%	15
Unsatisfied	0.73%	1
Very unsatisfied	13.14%	18
Not applicable	40.15%	55
<b>TOTAL</b>		<b>137</b>

**III. STAFF**

Q4 How satisfied are you with agency staff, including employee courtesy, friendliness, and knowledgeability, and whether staff members adequately identify themselves to customers by name, including the use of name plates or tags for accountability?

Answered: 138 Skipped: 5

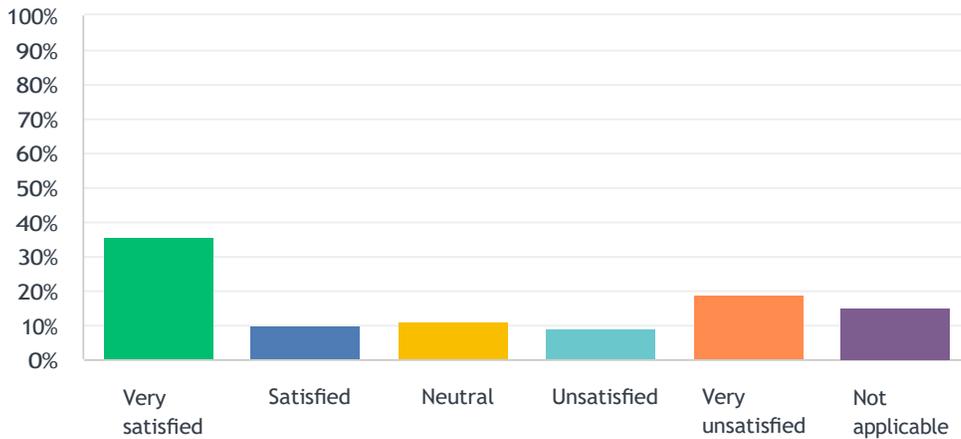


ANSWER CHOICES	RESPONSES	
Very satisfied	39.13%	54
Satisfied	12.32%	17
Neutral	10.14%	14
Unsatisfied	5.80%	8
Very unsatisfied	10.14%	14
Not applicable	22.46%	31
<b>TOTAL</b>		<b>138</b>

**IV. COMMUNICATIONS**

Q5 How satisfied are you with agency communications, including toll-free telephone access, the average time you spend on hold, call transfers, access to a live person, letters, electronic mail, and any applicable text messaging or mobile applications?

Answered: 137 Skipped: 6

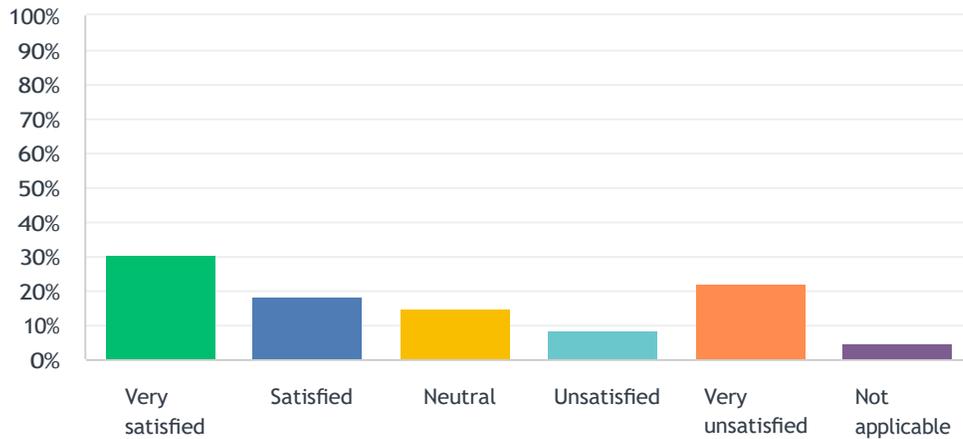


ANSWER CHOICES	RESPONSES	
Very satisfied	35.77%	49
Satisfied	10.22%	14
Neutral	10.95%	15
Unsatisfied	8.76%	12
Very unsatisfied	18.98%	26
Not applicable	15.33%	21
<b>TOTAL</b>		<b>137</b>

**V. INTERNET SITE**

Q6 How satisfied are you with the agency's Internet site, including the ease of use of the site, mobile access to the site, information on the location of the site and the agency, and information accessible through the site such as a listing of services and programs and whom to contact for further information or to complain?

Answered: 140 Skipped: 3

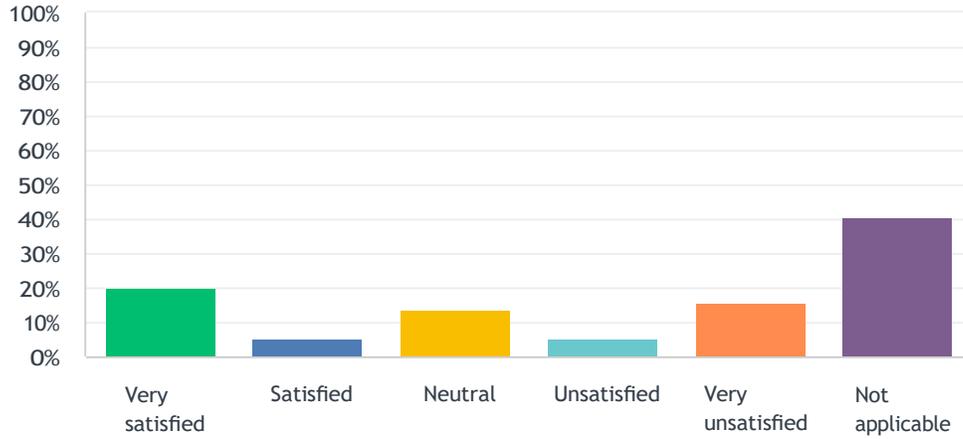


ANSWER CHOICES	RESPONSES	
Very satisfied	30.71%	43
Satisfied	18.57%	26
Neutral	15.00%	21
Unsatisfied	8.57%	12
Very unsatisfied	22.14%	31
Not applicable	5.00%	7
<b>TOTAL</b>		<b>140</b>

**VI. COMPLAINT HANDLING**

Q7 How satisfied are you with the agency's complaint handling process, including whether it is easy to file a complaint and whether responses are timely?

Answered: 139 Skipped: 4

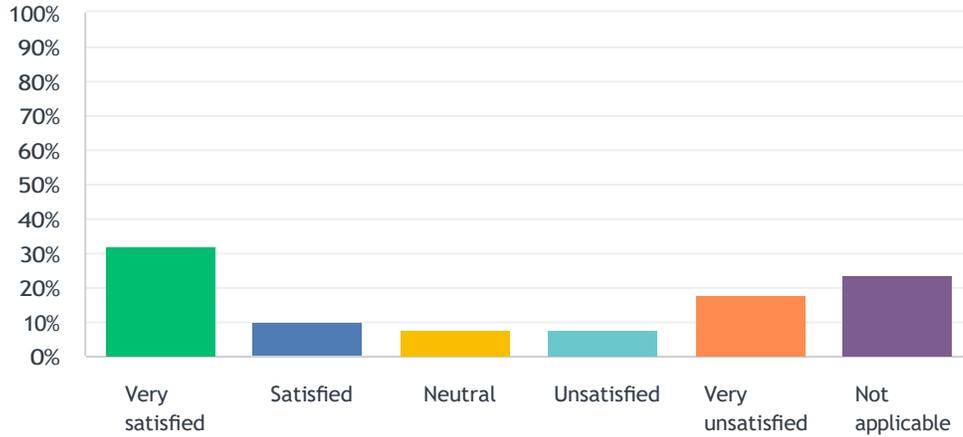


ANSWER CHOICES	RESPONSES	
Very satisfied	20.14%	28
Satisfied	5.04%	7
Neutral	13.67%	19
Unsatisfied	5.04%	7
Very unsatisfied	15.83%	22
Not applicable	40.29%	56
<b>TOTAL</b>		<b>139</b>

**VII. RESPONSE RATE**

Q8 How satisfied are you with the agency's ability to timely serve you, including the amount of time you wait for service in person?

Answered: 138 Skipped: 5

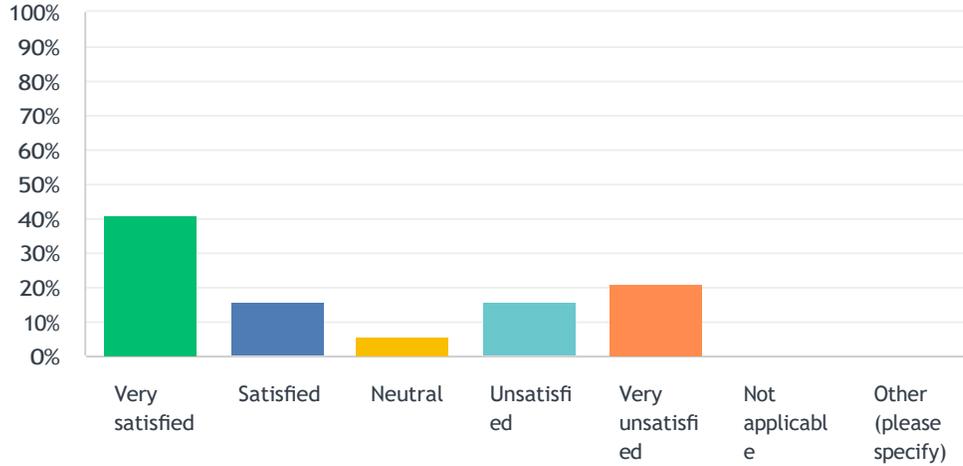


ANSWER CHOICES	RESPONSES	
Very satisfied	31.88%	44
Satisfied	10.14%	14
Neutral	7.97%	11
Unsatisfied	7.97%	11
Very unsatisfied	18.12%	25
Not applicable	23.91%	33
<b>TOTAL</b>		<b>138</b>

**VIII. OVERALL SATISFACTION**

Q9 Please rate your overall satisfaction with the agency.

Answered: 139 Skipped: 4



ANSWER CHOICES	RESPONSES	
Very satisfied	41.01%	57
Satisfied	15.83%	22
Neutral	5.76%	8
Unsatisfied	15.83%	22
Very unsatisfied	20.86%	29
Not applicable	0.72%	1
Other (please specify)	0.00%	0
<b>TOTAL</b>		<b>139</b>

Q10 Would you like to share any additional comments to help us better our staff/service?

Answered: 90 Skipped: 53

