



Texas Secretary of State

35th Annual Election Law Seminar for Cities, Schools and Other Political Subdivisions



35th Annual
Election Law Seminar

for Cities, Schools and Other Political Subdivisions



Texas Capitol Building
Credit David Aguilar.

November 29 – December 1, 2023 | Renaissance Austin Hotel | Austin, Texas



Overview of Events

Wednesday, November 29

- 7:30 AM Continental Breakfast**
- 8:30 AM Welcome and Opening Remarks**
- 8:45 AM Welcome from the Secretary of State**
- 9:00 AM 2023 Legislative Update (Part One)**
- 9:45 AM Morning Break**
- 10:00 AM 2023 Legislative Update (Part Two)**
- 10:45 AM Campaign Finance and Ethics Reporting for Political Subdivisions**
- 11:30 AM Lunch on Your Own**
- 1:00 PM Breakout Sessions**
· *Ordering Your Election*
· *Vacancies and Special Elections*
· *Elections 101*
- 2:00 PM Breakout Sessions**
· *Ordering Your Election*
· *Bond and Voter Approved Tax Rate Elections*
· *Duties of the Early Voting Clerk*
- 2:50 PM Mid-afternoon Break**
- 3:10 PM Breakout Sessions**
· *Contracting and Joint Elections*
· *Vacancies and Special Elections*
· *Preparing, Proofing, and Counting Your Ballots*
- 4:10 PM Breakout Sessions**
· *Contracting and Joint Elections*
· *Bond and Voter Approved Tax Rate Elections*
· *Setting Up Your Polling Place*

Thursday, November 30

- 7:30 AM Continental Breakfast**
- 8:30 AM Becoming the Trusted Source for Elections within Your Community**
- 9:15 AM Candidate Packets and Practical Considerations**
- 10:00 AM Morning Break**
- 10:15 AM Reviewing Candidate Applications**
- 11:15 AM Candidacy Considerations and Public Information Implications**
- 12:00 PM BBQ Luncheon**
- 1:00 PM Breakout Sessions**
· *Local Elections for County Election Officials*
· *Canvassing and Post-Election Activities*
· *Election Workers and Poll Watchers*
- 2:00 PM Breakout Sessions**
· *Web Posting Requirements*
· *Canvassing and Post-Election Activities*
· *Early Voting by Mail and Corrective Action Process*
- 2:50 PM Mid-Afternoon**
- 3:10 PM Breakout Sessions**
· *Web Posting Requirements*
· *Dual Office Holdings and Conflicts of Interest*
· *Early Voting Ballot Board and Signature Verification Committee*
- 4:10 PM Breakout Sessions**
· *Cities*
· *School Districts*
· *Other Political Subdivisions*

Friday, December 1

- 7:30 AM Continental Breakfast**
- 8:30 AM Cancellation of an Election**
- 9:15 AM Recounts**
- 10:00 AM Auditing Your Election**
- 10:45 AM General Question and Answer Session**



Jane Nelson

Secretary of State

Jane Nelson was appointed the 115th Texas Secretary of State by Governor Greg Abbott on January 5, 2023.

Secretary Nelson is a businesswoman and former teacher who served two terms on the State Board of Education and 30 years as a State Senator representing North Texas.

The first woman in Texas legislative history to chair a standing budget-writing committee, Secretary Nelson was Chair of the Senate Finance Committee for four sessions. She was a member of the Senate State Affairs Committee, which oversees election policy, for eight sessions. She served as chair of the Sunset Advisory Commission, the Nominations Committee, the Select Committee on Cybersecurity and the Senate Health & Human Services Committee. She was also a member of the Legislative Budget Board, the Legislative Audit Committee and the Privacy Protection Advisory Council.

In addition to writing four balanced state budgets, Secretary Nelson has a long list of accomplishments, including establishing the Cancer Research & Prevention Institute of Texas (CPRIT), reforming medical liability, achieving tax relief, overhauling the foster care system, expanding access to mental health care, and passing over 30 bills to protect victims of domestic violence, sexual assault, and human trafficking.

Her work has been recognized with dozens of awards, including from the American Medical Association, American Cancer

Society, Texas Association of Business, Texas Council on Family Violence, CASA, Texas Hospital Association, Big Brothers & Big Sisters, Texas PTA, Texas Retired Teachers Association, the Women's Health Coalition and many others. She has a 100% voting record in support of Texas small businesses.

Secretary Nelson and her husband, J. Michael Nelson, owned and operated an aircraft component manufacturing company in Denton County. They have five children and 12 grandchildren.



Christina Worrell Adkins

Director of Elections

Christina Worrell Adkins is the Director of Elections for the Texas Secretary of State. While at the Secretary of State's office, Ms. Adkins previously served as the Legal Director, overseeing the legal and training teams and has also served as one of the state's appointed voting systems examiners. She has worked extensively with election technology issues and in advising local election officials, candidates, and the general public on Texas Election law. Ms. Adkins has practiced in both civil and criminal law and has previously worked for the Texas Workforce Commission and as the assistant to the Texas Comptroller of Public Accounts. Ms. Adkins graduated from the University of Texas at Austin with a degree in English and Mexican-American Studies. She received her juris doctorate from Southern Methodist University in 2008.

Presentation Materials



Seminar presentation materials are available on the Seminar Doc Share site. Scan the QR code to be directed to the site.

ID: CSO PW: Elections2023

Continuing Education

Texas Association of School Business Officials

Copies of the association form are available for pick-up at the Seminar Registration Desk.

Survey and Certificate

To obtain a Certificate of Attendance, complete a quick and easy survey. The survey link will be released to attendees **December 4, 2023**. The survey contains a breakdown of possible obtainable hours for each session attended, including breakout sessions. The maximum number hours for this event is **13.5 hours**. Once you complete the survey and record your hours, complete the certificate and print a copy for your records.



Wednesday, November 29

Grand Ballroom

- 7:30 AM – 8:30 AM** **Continental Breakfast | Grand Ballroom Foyer**
- 8:30 AM – 8:45 AM** **Welcome and Opening Remarks**
Speakers: Christina Adkins, Director of Elections | Kristi Hart, Deputy Director of Elections
- 8:45 AM – 9:00 AM** **Welcome from the Secretary of State**
Speaker: Jane Nelson, Secretary of State
- 9:00 AM – 9:45 AM** **2023 Legislative Update (Part One)**
Speakers: Christina Adkins, Director of Elections | Heidi Martinez, Managing Attorney
The presentation goes over all of the legislative changes from the 88th regular session that impact Texas Elections. The presentation addresses what changed under each bill, what affect it has on elections, what forms were changed (if any), and when the changes go into effect.
- 9:45 AM – 10:00 AM** **Morning Break | Grand Ballroom Foyer**
- 10:00 AM – 10:45 AM** **2023 Legislative Update (Part Two)**
Speakers: Christina Adkins, Director of Elections | Heidi Martinez, Managing Attorney
The presentation goes over all of the legislative changes from the 88th regular session that impact Texas Elections. The presentation addresses what changed under each bill, what affect it has on elections, what forms were changed (if any), and when the changes go into effect.
- 10:45 AM – 11:30 AM** **Campaign Finance and Ethics Reporting for Political Subdivisions**
Guest Speaker: James Tinley, General Counsel, Texas Ethics Commission
Guest speaker from the Texas Ethics Commission will present on campaign finance reports: what candidates need to file, when they need to file, and how to respond to public information act requests regarding campaign reports.
- 11:30 AM – 1:00 PM** **Lunch on Your Own**

Breakout Sessions

- 1:00 PM – 1:50 PM** **Ordering Your Election | Ballroom A**
Speakers: Nicole Warren, Attorney | Elizabeth Hawkins, Election Security Trainer
Provides an overview of the legal requirements and procedures a political subdivision must follow to order an election. Discusses the deadlines for ordering an election, things entities need to consider when ordering a special election, and other statutory requirements. The presentation will also go over the legal requirements for a Notice of Election and how it differs from an Order of Election.
- Vacancies and Special Elections | Ballroom B**
Speaker: Heidi Martinez, Managing Attorney
Whether because of outside obligations, illness, or resign-to-run provisions, members of governing bodies of political subdivisions may find themselves unable to complete their term of office. This presentation goes over various situations that result in a vacancy being created, as well as the different legal requirements surrounding how cities, schools, and other political subdivisions must fill any resulting vacancies.



Elections 101 | Bluebonnet

Speaker: Andre Montgomery, Attorney

Provides an introductory overview of Texas elections and Texas Election Law. Defines common election terminology and lingo, educates attendees on the legal framework for administering an election, and recommends best practices for organizing and running an election.

2:00 PM – 2:50 PM

Ordering Your Election | Ballroom A

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Bond and Voter Approved Tax Rate Elections | Ballroom B

Guest Speaker: Rose Kanusky, Attorney, McCall, Parkhurst & Horton, LLP

Guest speaker attorney Rose Kanusky with McCall, Parkhurst & Horton. This course offers a detailed examination of the processes and legal considerations associated with securing public funding through bonds and voter-approved tax rate elections.

Duties of the Early Voting Clerk | Bluebonnet

Speaker: Ryan Jimenez, Attorney

This presentation goes over the duties of the Early Voting Clerk that are prescribed by the Election Code including ballot by mail management, coordination with election workers, and legal compliance. Additionally, this presentation goes over the multiple law changes from the past legislative session and discusses the impact of those law changes as it relates to the Early Voting Clerks.

2:50 PM – 3:10 PM

Mid-afternoon Break | Grand Ballroom Foyer

Breakout Sessions

3:10 PM – 4:00 PM

Contracting and Joint Elections | Ballroom A

Speakers: Chuck Pinney, Attorney | Debbie Abrego, Election Security Trainer

This presentation provides an overview of the legal frameworks which govern contracts related to election services and the collaborative processes involved in joint elections. It addresses the requirements governing election services contracts or joint election agreements between county officials and local election officials. This talk focuses on the required terms for the three types of contractual agreements authorized by the Texas Election Code and the statutory duties that apply to each of the contracting parties.

Vacancies and Special Elections | Ballroom B

Speaker: Heidi Martinez, Managing Attorney

Whether because of outside obligations, illness, or resign-to-run provisions, members of governing bodies of political subdivisions may find themselves unable to complete their term of office. This presentation goes over various situations that result in a vacancy being created, as well as the different legal requirements surrounding how cities, schools, and other political subdivisions must fill any resulting vacancies.

Preparing, Proofing, and Counting Your Ballots | Bluebonnet

Speaker: Alexa Buxkemper, Election Security Training Manager

This presentation provides an overview of several issues related to ballots including best practices for proofing your ballot to ensure accuracy and avoid ballot corrections, along with what to do if a ballot correction is necessary. Additionally, the presentation will discuss the different methods of counting ballots under Texas Election law.



4:10 PM – 5:00 PM

Contracting and Joint Elections | Ballroom A

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Guest Speaker: Rose Kanusky, Attorney, McCall, Parkhurst & Horton, LLP

Guest speaker attorney Rose Kanusky with McCall, Parkhurst & Horton. This course offers a detailed examination of the processes and legal considerations associated with securing public funding through bonds and voter-approved tax rate elections.

Setting Up Your Polling Place | Bluebonnet

Speakers: Erik Buntin, Election Security Trainer | David Velez-Perez, Election Security Trainer

Addresses the legal requirements for preparing and setting up polling places so that they comply with the Texas Election Code. A portion of the presentation will focus on recent legislative changes to the curbside voting process and how to legally comply with the new requirements. Experienced election trainers will address logistical concerns and suggest best practices based on years of prior experience.

Thursday, November 30

Grand Ballroom

7:30 AM – 8:30 AM

Continental Breakfast | Grand Ballroom Foyer

8:30 AM – 9:15 AM

Becoming the Trusted Source for Elections within Your Community

Speaker: Christina Adkins, Director of Elections

9:15 AM – 10:00 AM

Candidate Packets and Practical Considerations

Guest Speakers: Lee Woodward, City Secretary, City of La Porte | Lettie Brysch, City Secretary, City of Friendswood

Guest speakers with several years of experience in city elections provide their recommendations and best practices regarding candidate packets and how to provide prospective officeholders with the knowledge needed to navigate the candidate filing process seamlessly.

10:00 AM – 10:15 AM

Morning Break | Grand Ballroom Foyer

10:15 AM – 11:15 AM

Reviewing Candidate Applications

Speaker: Heidi Martinez, Managing Attorney

The presentation provides a thorough examination of the legal requirements and considerations the filing authority should consider when reviewing candidate applications for a place on the ballot. The presentation goes box-by-box through a candidate application and discusses common form, content, and procedure issues that may arise on an application.

11:15 AM – 12:00 PM

Candidacy Considerations and Public Information Implications

Speaker: Andre Montgomery, Attorney

Election Code 141.035 requires that an application for a place on the ballot becomes public information immediately upon its filing. This presentation provides information on how filing authorities should manage public information requests for candidate applications and how candidates eligible for confidentiality may request their residence address be redacted. The presentation will also address withdrawals of candidate applications, as well as issuing a declaration of ineligibility and rejection of a candidate's application.



12:00 PM – 1:00 PM

BBQ Luncheon | Downstairs in Rio Grande Hall A

Breakout Sessions

1:00 PM – 1:50PM

Local Elections for County Election Officials | Ballroom A

Speaker: Chuck Pinney, Attorney

The presentation provides an overview of the county's role in local elections. The presentation focuses on the division of legal responsibilities between the cities, schools, and other political subdivisions and the county election officials and will cover topics such as contracts for election services and joint elections, early voting requirements under Chapter 85, and statutory requirements to ensure the accuracy and security of elections.

Canvassing and Post-Election Activities | Ballroom B

Speaker: Charles Maddox, Attorney

This presentation focuses on the legal requirements that follow an election, including how to canvass an election, how officers-elect qualify for office, and the effect of a recount on post-election deadlines.

Election Workers and Poll Watchers | Bluebonnet

Speaker: Lena Proft, Attorney

Both election workers and poll watchers play an important role in the administration and transparency of our elections. This presentation will discuss the eligibility requirements for both, as well as the difference in their roles and responsibilities under Texas Election Law.

2:00 PM – 2:50 PM

Web Posting Requirements | Ballroom A

Speakers: Lena Proft, Attorney | Nicole Warren, Attorney

This presentation offers an overview of the legal and practical aspects of disseminating crucial election information online. It goes over both continuous posting requirements and election specific posting requirements.

Canvassing and Post-Election Activities | Ballroom B

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Early Voting by Mail and Corrective Action Process | Bluebonnet

Speaker: Heidi Martinez, Managing Attorney

The presentation reviews the legal requirements on the Application for Ballot by Mail (ABBM) form and the carrier envelope, and it outlines the statutory process that allows voters to correct certain defects on their ABBM or carrier envelope. The presentation will focus on recent legislative changes to the corrective action process (SB 1599), including changes to the forms used and modifications to the authentication requirements for the ballot by mail tracker.

2:50 PM – 3:10 PM

Mid-Afternoon Break | Grand Ballroom Foyer

3:10 PM – 4:00 PM

Web Posting Requirements | Ballroom A

Speakers: Lena Proft, Attorney | Nicole Warren, Attorney

This presentation offers an overview of the legal and practical aspects of disseminating crucial election information online. It goes over both continuous posting requirements and election specific posting requirements.

Dual Office Holdings and Conflicts of Interest | Ballroom B

Guest Speaker: Bill Longley, General Counsel, Texas Municipal League

Texas law generally prohibits a public servant from holding two or more public offices at the same time,



a practice known as “dual office holding.” It is important that local officials understand the basics of dual office holding and incompatibility because the acceptance of a second public office can result in an automatic resignation from a person’s current public office. Guest speaker Bill Longley with the Texas Municipal League will discuss things local entities need to consider when questions of incompatibility and dual office holding arise.

Early Voting Ballot Board and Signature Verification Committee | Bluebonnet

Speaker: Andre Montgomery, Attorney

Provides a thorough outline of who is able to serve on the Early Voting Ballot Board and Signature Verification Committee, convening the ballot board, qualifying ballots, the corrective action procedures for the Early Voting Ballot Board, and ballot counting procedures for the Early Voting Ballot Board.

4:10 PM – 5:00 PM

Breakout: Cities | Ballroom A

Guest Speaker: Bill Longley, General Counsel, Texas Municipal League

Moderator: Christina Adkins, Director of Elections

Breakout: School Districts | Ballroom B

Guest Speaker: Lindsey McPheeters, Texas Association of School Boards

Moderator: Heidi Martinez, Managing Attorney

Breakout: Other Political Subdivisions | Bluebonnet

Guest Speakers: Katie Carner, Counsel, Allen Boone Humphries Robinson LLP | Robyn German, Election Coordinator, Allen Boone Humphries Robinson LLP

Moderator: Chuck Pinney, Attorney

Friday, December 1

Grand Ballroom

7:30 AM – 8:30 AM

Continental Breakfast | Grand Ballroom Foyer

8:30 AM – 9:15 AM

Cancellation of an Election

Speaker: Ryan Jimenez, Attorney

This presentation discusses what the law requires for an entity to cancel their election and the steps the entity needs to take to have their candidates successfully take office.

9:15 AM – 10:00 AM

Recounts

Speaker: Chuck Pinney, Attorney

Provides an overview of Chapters 211-213 of the Texas Elections Code on the conduct of a recount after an election. The presentation focuses on the statutory process for an individual to petition for a recount, the personnel required to conduct a recount, and the legal effect of a recount on the results of an election.

10:00 AM – 10:45 AM

Auditing Your Election

Speakers: Kristi Hart, Deputy Director of Elections | Holly Justice, Election Audit Manager

Introduces counties to the Secretary of State’s audit program. Provides information on the audit program’s review and examination of election records and documents in order to ascertain whether election laws and procedures were properly followed, determining the cause of any discrepancies, and identifying opportunities for enhanced efficiency and security in Texas election administration. Also addresses legislative changes from the 88th session that impact election audits.

10:45 AM – 11:30 AM

General Question and Answer Session

Speakers: Election Staff



Guest Speakers

Bill Longley

Texas Municipal League

Bill Longley graduated from the University of Richmond in 2004 with a degree in political science and sociology. In 2007, he received his law degree from the University of Texas School of Law. Bill worked as a law clerk at TML while in law school. Prior to working for TML, Bill served as an Assistant Attorney General in the Open Records Division of the Office of Attorney General. In his 15 years at TML, Bill has worked on a variety of legal and legislative issues as they relate to Texas cities. He co-authored the TML Revenue Manual and TML Economic Development Handbook, and has spoken on numerous topics, with a focus on the Texas Legislature, economic development, municipal revenue, open government, and elections.

James Tinley

Texas Ethics Commission

James is the General Counsel of the Texas Ethics Commission. He has worked as an attorney for the Ethics Commission in various roles since March 2014. He is a graduate of the University of Connecticut and The Catholic University of America, Columbus School of Law.

Katie Carner

Allen Boone Humphries Robinson, LLP

Katie joined ABHR in 2014 and was instantly thrust into the position of election attorney along with all her other duties as general counsel and bond counsel. Katie's practice focuses on public finance, urban development law, local government regulation, and State and federal election law. Prior to joining the firm, Katie was an associate in the Food, Drug and Medical Device Regulatory Practice at Sidley Austin LLP. Katie is a member of the National Association of Bond Lawyers, the State Bar of Texas, and the Houston Bar Association.

Lee Woodward

City of La Porte

Lee Woodward is the city secretary and public information officer for the City of La Porte and an instructor/presenter on election law, open government, and parliamentary procedure. She is the 2024 President of the Texas Municipal Clerks Association (TMCA) and holds credentials as a Texas Registered Municipal Clerk, Texas Certified Public Manager, IIMC Master Municipal Clerk, ICRM Certified Records Manager, Professional Registered Parliamentarian, Certified Parliamentarian, and Certified Public Communicator. Woodward is a member of the Texas Association of Municipal Information Officers, Texas City Management Association, Texas Women Leading Government, The League of Women in Government, National Association of Government Archives and Records Administrators, and a number of parliamentary organizations, and is an IIMC Athenian Leadership Society Fellow and Dialogue Facilitator.

Lettie Brysch

City of Friendswood

Lettie Brysch is the City Secretary with the City of Friendswood. She has 17 years of experience in municipal government. Before joining the City of Friendswood, Lettie worked as the City Clerk for 12 years with the City of Baytown. Lettie has experience with elections for cities, special districts, and sales and use taxes. She has handled self-administered elections and joint elections with multiple counties and is no stranger to verifying thousands of signatures for initiative, referendum, and recall petitions.

Lindsey McPheeters

Texas Association of School Boards

Lindsey McPheeters is a Senior Attorney with TASB Legal Services, where she focuses on issues related to Elections, Title IX, and student discipline. Lindsey began her legal career as a juvenile prosecutor in Bronx, New York before moving back to Texas to start her own law practice focused on family law and criminal defense. Prior to joining TASB, Lindsey served as in-house counsel to a large suburban school district. Lindsey also worked for several years as a high school CTE teacher. In her spare time, Lindsey enjoys traveling, reading, watching college football, and spending time with her two young children.

Robyn German

Allen Boone Humphries Robinson LLP

Robyn started in elections in 1998. She worked as the assistant administrator of elections for the Harris County Clerk under the Honorable Beverly Kaufmann. Robyn assisted in preparing Harris County to purchase and successfully implement the use of the first electronic voting system in the state of Texas in November 2001. In 2005 she left Harris County and contracted with cities, schools, junior colleges, law firms, counties, and even became an EA. She also had the privilege to work with the DOJ and assist with the administration of elections in Texas. She joined the firm of Allen Boone Humphries Robinson (ABHR LLP) as their election coordinator in December of 2014. ABHR LLP represents over 500+ districts and has opened their third office in Dallas, Texas. This is the sixth presentation at the Secretary of States Conference along with Katie Carner.

Rose Kanusky

McCall Parkhurst & Horton LLP

Rose Kanusky is an attorney with McCall, Parkhurst & Horton L.L.P., a firm specializing in public finance. Rose started her career as an appellate litigator, arguing cases on a wide range of topics, including those arising from the electoral process. Since 2015, she has used that experience to advise cities, counties, schools, and special districts about their elections, primarily those related to public finance. Rose proudly supports the Texas Municipal Clerks Certification Program by authoring the latest edition of the Texas Municipal Election Law Manual.



Exhibitors

AT&T Corp

By bringing together solutions that protect, serve, and connect, we are working with the Public Sector to reimagine learning, modernize government, and transform Defense & IC networks.

9505 Arboretum Blvd, Austin, Texas 78759
(214) 794-3149 | gm4738@att.com

COMPU-DATA International, LLC

COMPU-DATA offers CertaVote™, a comprehensive and secure voter records management system for mail-in ballots and applications. Our Data OnDemand™ solution also offers digital conversion/scanning services, cloud-based data management, storage and security.

14610 Falling Creek Dr., Houston, Texas 77068
(832) 971-3584 | cgutierrez@cdlac.com

Hart Intercivic

Only Hart provides the secure and certified voting systems you expect plus the tools, services and support you need before, during and after election day. You can have confidence in us so your voters can have confidence in you.

PO Box 80649, Austin, Texas 78708
(800) 223-4278 | bkempfe@hartic.com

Mullins and Company

Women's Casual Wear - Sizes small-2X - Fashion jewelry and handbags.

5510 Woodview Ave, Austin, Texas 78756
(512) 297-8883 | dmullins9@hotmail.com

Neuralog

For nearly 30 years, Neuralog has provided practical, intuitive solutions for continuous document scanning and data archiving. The NeuraScanner continuous document scanner is the ideal solution for scanning rolls of voter records.

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(281) 207-8555 | marketing@neuralog.com

TexasElectionLaws.com

The 2023-2024 Texas Election Laws, in its 4th Edition, is the definitive source for all updated Texas Laws related to elections. It features a fully updated Election Code, (88th 3rd Called Session), SOS Rules, and election provisions from other codes.

9415 Old Lampasas Trail, Austin, Texas 78750
(512) 781-6336 | eopiela@ericopiela.com

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Contact Us

Elections Division

Office of the Texas Secretary of State

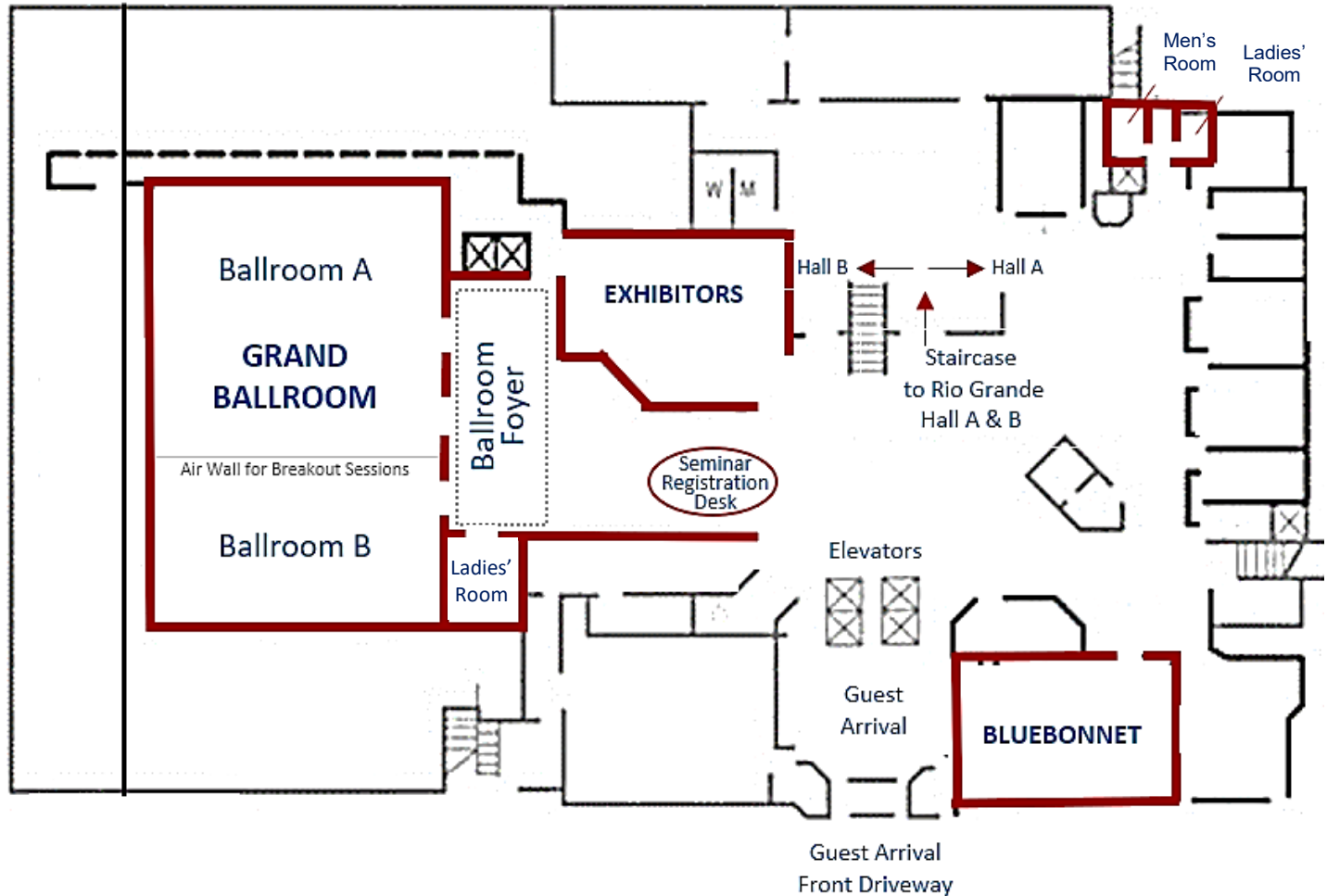
1019 Brazos Street, Austin, Texas 78701
PO Box 12060 Austin, Texas 78711

800.252.VOTE (8683) | 512.463.5650
Elections@sos.texas.gov | VoteTexas.gov



Renaissance Austin Hotel

Atrium & Lobby Area



Hotels

Renaissance

9721 Arboretum Blvd.
Austin, Texas 78759
(512) 343-2626

Hyatt Place

3612 Tudor Blvd
Austin, Texas 78759
(512) 231-8491

Embassy Suites

9505 Stonelake Blvd
Austin, Texas 78759
(512) 372-8771

DoubleTree

8901 Business Park Dr
Austin, Texas 7875
(512) 343-0888



*Office of the Texas Secretary of State
Elections Division*

(800) 252-8683 | (512) 463-5650
Elections@sos.texas.gov