



# Cancellation of an Election for Local Political Subdivisions

*37th Annual*  
Election Law Seminar  
for Cities, Schools, and  
Other Political Subdivisions

*December 1-3, 2025*



## Summary

### RESOURCES

Where to  
Find our  
Resources

### CHANGES

New Laws  
from the  
89th Regular  
Session

### GENERAL

Things to  
Remember

### EXAMPLES

Let's  
Discuss!



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# Updated Resources



## Resources

- **Elections Forms Index**
  - <https://www.sos.state.tx.us/elections/forms/pol-sub/index.shtml#photo-id>
- **Conducting Your Elections Page**
  - <https://www.sos.texas.gov/elections/laws/local-laws.shtml>
- **Texas Election Code**
  - <https://statutes.capitol.texas.gov/>
- **Cancellation of Election Outline**
  - <https://www.sos.texas.gov/elections/laws/cancellation.shtml>





## Newly Updated Handbooks

Election Judges and Clerks Handbook

Early Voting Ballot Board Handbook

Signature Verification Committee Handbook

Central Counting Station Handbook

Appointment of Election Workers Handbook

Poll Watcher's Guide

Available on our Training and Educational Resources Page



## Advisories & Webinars

**No.2025-07** - 2025 Legislative Summary – 89th Regular Session

May 2026 Election Law Calendar (Coming Soon)

Available on our Conducting Elections page

Also, remember to attend our webinar series



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# Forms

## Elections Form Index

**Note:** The links displayed within the forms section access PDF (Portable Document Format) files which can be accessed using the Adobe Acrobat Reader. Visit [Adobe.com](http://Adobe.com) to download your copy of Acrobat Reader. All PDF documents featured on this page are configured to print out on legal size paper.

**Note:** Some browsers use their own PDF readers. If you experience issues with the PDF documents below, we recommend opening these files with Adobe Acrobat.

### Select a Form Category

<ul style="list-style-type: none"><li>• <a href="#">Section 1 – Order and Notice of an Election</a></li><li>• <a href="#">Section 2 – Candidates</a></li><li>• <a href="#">Section 3 – Ballots</a></li><li>• <a href="#">Section 4 – Officers of Election</a></li><li>• <a href="#">Section 5 – Early Voting Clerk Responsibilities</a></li><li>• <a href="#">Section 6 – Early Voting by Mail</a></li><li>• <a href="#">Section 7 - Voting in Person</a></li><li>• <a href="#">Section 8 – Security and Chain of Custody</a></li></ul>	<ul style="list-style-type: none"><li>• <a href="#">Section 9 – Provisional Voting</a></li><li>• <a href="#">Section 10 – Early Voting Ballot Board/Signature Verification Committee</a></li><li>• <a href="#">Section 11 – Counting Votes</a></li><li>• <a href="#">Section 12 – Reconciliation Forms</a></li><li>• <a href="#">Section 13 – Cancellation of an Election</a></li><li>• <a href="#">Section 14 – Recount</a></li><li>• <a href="#">Section 15 – Logic and Accuracy Testing</a></li><li>• <a href="#">Section 16 – Election Technology (Voting Systems, Electronic Pollbooks)</a></li></ul>	<ul style="list-style-type: none"><li>• <a href="#">Section 17 – Local Option Elections</a></li><li>• <a href="#">Section 18 – Primary Elections</a></li><li>• <a href="#">Section 19 – Voter Registration Chapter 19 Funding</a></li><li>• <a href="#">Section 20 - Primary Finance</a></li><li>• <a href="#">Section 21 - Voter Registration</a></li><li>• <a href="#">Section 22 - Volunteer Deputy Registrar (including High Schools)</a></li><li>• <a href="#">Section 23 - Becoming an Elected Official</a></li><li>• <a href="#">Section 24 - Public Information</a></li><li>• <a href="#">Section 25 - Miscellaneous Forms</a></li></ul>
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## Forms

Form 13-1 Certification of Unopposed Candidates for Other Political Subdivisions

Form 13-2 Sample Order of Cancellation



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# What's Changed



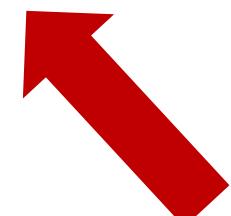
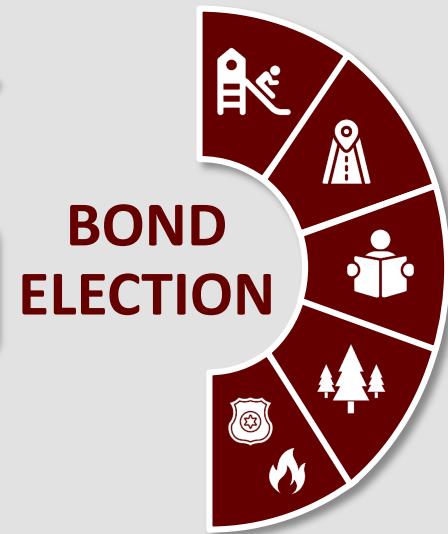
## Cancellation of an Election

**HB 2253**—Authorizes counties and local political subdivisions to cancel a bond election if the Governor issues a disaster declaration.

- The governor must issue a disaster declaration regarding a natural disaster or other disaster which threatens the health, safety, or general welfare of the authority's residents **within 90 days of the date of the election**.
- The governing body must determine that cancellation is **necessary** due to damage to the authority's election system, or to avoid harm to the authority's election workers or voters.
- The governing body must provide **3 business days notice** of the meeting and allow members of the public and press to observe the meeting.
- The meeting must occur **no later than 74 days before** the bond election.



# Cancellation of an Election





## Open Meetings Notice

**HB 1522 – Modifies notice requirements for meetings conducted under the open meetings law.**

- Requires posting notice at least **three business days** before date of scheduled meeting.
  - Keep this in mind when posting notice for your **canvass**.
- These are the new requirements for meetings where a governmental body will **discuss or adopt** a budget.



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# Cancellation of an Election for Local Political Subdivisions



## Statutory Authority

The Texas Election Code requires the authority ordering an election to have **specific statutory authority** in order to **cancel** that election.

Tex. Elec. Code Sec. 2.082





## Please Note

**Counties have NO authority to certify unopposed candidates for local political subdivisions, even if the county is contracting with the entity to run the election.**

Additionally, entities are NOT required to certify their cancelled election with the county.



## General Election vs. Special Election

For cancellation purposes, a special election of a political subdivision is considered to be a **separate election** from a general election held the same day by the same political subdivision.

- **Example:** Measure Election.
- **Example:** Special Election to Fill a Vacancy.



## Statutory Authority for Cancellation

- Section 2.051 allows a political subdivision to **cancel** an election if:
  - Members of the governing body are elected from territorial units (i.e. single-member districts); **AND**
  - Each candidate is unopposed and no at-large opposed race appears on the ballot.
- Section 2.051 allows cancellation in a particular territorial unit **even if** there is an opposed race in another territorial unit (i.e. another single-member district).



## Cancellation of a Moot Measure

Section 2.081(a) authorizes an authority to cancel a measure election if it is determined that the action authorized by the election may not be implemented **regardless of the outcome of the election**.

If the authority determines that the action may not be taken, then the measure would be **declared moot** and be **removed** from the ballot.



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## At Large vs. Single Member Districts



## Pure At-Large

The candidates run as **one group** on the ballot.

All the qualified voters in the political subdivision may vote in the race.



## At Large by Place

The candidates run in **separate groups** on the ballot, for each position or place.

All the qualified voters in the political subdivision may vote in the race.



## Single Member Districts

The political subdivision is divided into **districts** and the candidates run in their **district of residence**.

Only **voters within that district** may vote on the race that pertains to their district.



## Pure at-Large

The candidates run as **one group** on the ballot.

**All** qualified voters in the political subdivision may vote in the race.

The **top** “vote-getters” win the number of positions available.

Generally, **pure at-large** is the “**default**” **method** of election for cities and school districts, and it takes an action by the governing body (or a court) to change method of election.

Special Law Districts have method of election set by enacting legislation.



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## Pure at-Large

### Ballot:

City of Bedrock General Election	
City Council Vote for none, one, two, or three	
	Barney
	Fred
	Wilma
	Bam Bam
	Dino

### Results:

Election Results	
Candidates	Votes
Barney	61
Fred	122
Wilma	133
Bam Bam	71
Dino	85
<b>TOTAL</b>	<b>472</b>



## At-Large By Place/Position

The candidates run in **separate groups** on the ballot for each available position.

**All voters** within political subdivision get to vote in **all races**.

It generally takes an **act of the governing body** or a **court order** to **move** to this type of method of election.



## At-Large By Place/Position

### Ballot:

<b>Emerald Independent School District General Election</b>	
Board of Trustees, Place 2	
	Dorothy
	Toto
	Scarecrow
Board of Trustees, Place 5	
	Tin Man
	Lion

### Results:

<b>Election Results</b>		
<u>Place 2</u>		
Candidates		Votes
Dorothy		57
Toto		122
Scarecrow		84
<b>TOTAL</b>		<b>263</b>
<u>Place 5</u>		
Candidates		Votes
Tin Man		171
Lion		85
<b>TOTAL</b>		<b>256</b>



## Single Member District

The territory of the political subdivision is divided into **districts**, and **candidates run** in their **district of residence**.

Only **voters within** the **district** can vote.

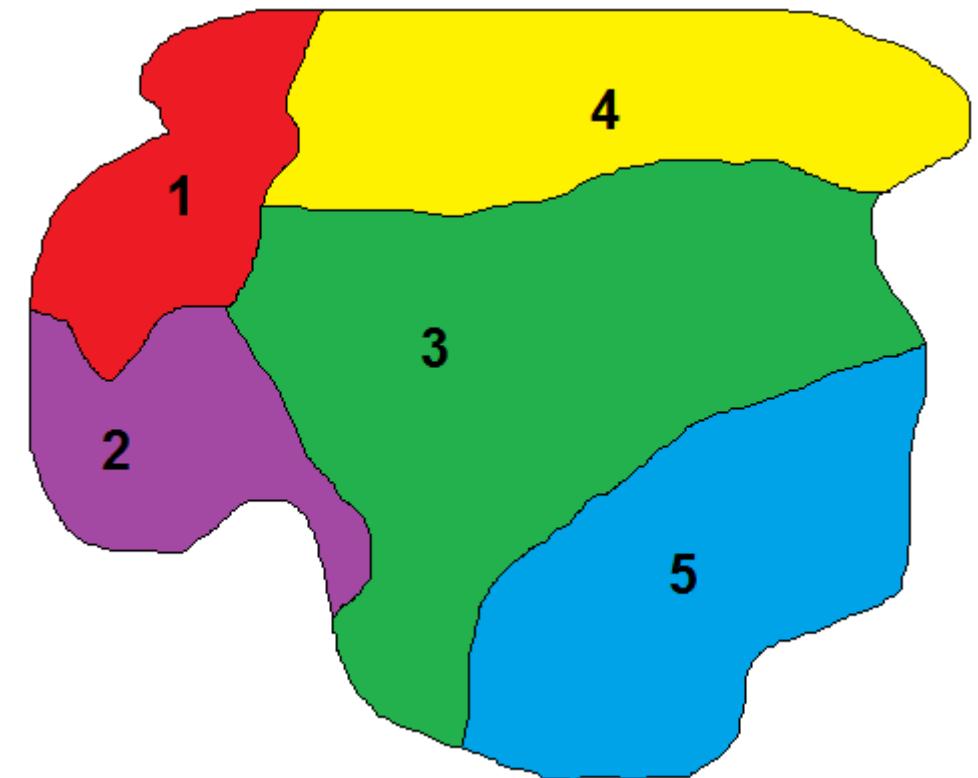
It generally takes an **act of the governing body** or a **court order** to **move** to this type of method of election.



## Single Member District

### Example:

- City of Hoo
  - Home Rule City: **5 Single Member Districts**
  - **District 1 and District 3** positions expire this year
  - **3 people** submit applications for District 1
  - **2 people** submit applications for District 3





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## Single Member District

### Ballot:

City of Hoo General Election	
District 1	
	Poe
	O'Keefe
	Byrd

City of Hoo General Election	
District 3	
	Marshburn
	Melvin

### Results:

Election Results		
<u>District 1</u>		
<b>Candidates</b>	<b>Votes</b>	
Poe	125	
O'Keefe	85	
Byrd	175	
<b>TOTAL</b>	<b>385</b>	
<u>District 3</u>		
<b>Candidates</b>	<b>Votes</b>	
Marshburn	101	
Melvin	192	
<b>TOTAL</b>	<b>293</b>	



## Statutory Authority for Cancellation

A political subdivision may **cancel** an election on a measure if it has been determined that the action to be authorized by the election **may not be taken**, regardless of the outcome of the election.



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# When Can You Cancel



## Withdrawal of a Candidate

Section 145.098 allows a candidate to withdraw from an election **after** the statutory deadline for withdrawal if:

- The candidate files a **valid withdrawal request** (except for its untimeliness);
- **Ballots for the election have not been prepared;** and
- **If using a voting system, public notice of the Logic and Accuracy Test has not been published.**

Tex. Elec. Code Sec. 145.098



## Withdrawal of a Candidate

Section 145.098 gives the authority responsible for preparing the ballot the discretion to **accept the untimely withdrawal** and omit the candidate's name from the ballot (and cancel the election if otherwise able to do so), as long as **ballots have not been prepared** for the election **AND** if using a voting system, **public notice** of the Logic and Accuracy Test has **not been published**.



## Certification of Unopposed Candidate Status

The authority responsible for having the ballot prepared in an election shall **certify, in writing**, that a candidate is **unopposed** in an election for office.

Such certification must be made **to the governing body of the political subdivision** as soon as possible after the filing deadlines for applications for place on the ballot and write-in candidate declarations.

The political subdivision **does not** need to certify the unopposed candidate status with the county!

Tex. Elec. Code Sec. 2.052



## Action Following Certification

Upon receiving **certification** that candidates are **unopposed**, the governing body of the political subdivision **must**, by order or ordinance, **declare** such unopposed candidates **elected**.

If the candidates are declared elected, the **election is not held**. The governing body must **post** a copy of the order or ordinance declaring the unopposed candidates elected at **each polling place** that would have been used in the election.



## Action Following Certification

Although cancellation is **not automatic** in the sense that you must have your governing body meet in an **open meeting**, if a proper certification of unopposed status is presented by the filing authority to the governing body, the governing body **must** cancel the election.

Tex. Elec. Code Sec. 2.053



## Action Following Certification

It is imperative that the cancellation requirements be properly followed. The governing body must have **authority** to cancel the election.

To recap, if there is an opposed at-large race within a general election or within a special election, **you cannot cancel** the election. The unopposed candidates **appear on the ballot** in the traditional manner, and must receive **at least one vote** to win.

An improperly cancelled election could result in a **vacancy**.



## Action Following Certification

If a separate election is being held at the **same time** as a **cancelled** election, the unopposed candidates must be listed on the ballot for that separate election under the heading **“Unopposed Candidates Declared Elected”**.

The candidates shall be grouped in the **same relative order** prescribed for the ballot generally. **No votes are cast** in connection with the candidates.



## Action Following Certification

Unopposed candidates who are declared elected are issued **certificates of election in the same manner** as candidates who are elected.

Unopposed candidates who are declared elected **must qualify** for office in the **same manner** as candidates who are elected.

An unopposed candidate who is declared elected **may not qualify** for office until **after** the regular **canvass** takes place (or would have taken place).



## Coercion

A person may not **intimidate** or **coerce** another person in order to influence or attempt to influence the other person **to not file** an application for place on the ballot or declaration of write-in candidacy **or to withdraw** an application or declaration.

This is a **Class A misdemeanor**, unless the intimidation or coercion is a threat to commit a **felony** (in which case it is a third degree felony).



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# Examples

Let's Discuss!



## Example 1

- A school district has **six trustees** that are elected **at-large** but hold specific **place numbers**.
- Places 1, 2, and 4 are currently up for election. There are **two candidates** for places 1 and 2 and **only one** candidate for place 4.
- **May any race be cancelled?**

Jazzy ISD General Election	
Place 1	
	John
	Jane

Jazzy ISD General Election	
Place 2	
	James
	Janet

Jazzy ISD General Election	
Place 4	
	Jaime



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## No Race May Be Cancelled

- Remember that to cancel an election, there must be **no at-large opposed races** on the ballot.
- Here, Place 1 and Place 2 are **opposed races** and are both at-large.
  - The **unopposed race cannot be cancelled** since there are still opposed races.

Jazzy ISD General Election	
Place 1	
	John
	Jane

Jazzy ISD General Election	
Place 2	
	James
	Janet

Jazzy ISD General Election	
Place 4	
	Jaime



## Example 2

- A groundwater district has **five directors**. One director is elected **at-large** and the remaining four directors are elected from their **respective commissioners precincts**.
- **Directors 1 and 3** are up for election. The **at-large** director position is **not** up for election. There are **two candidates** for Director 1 and **one candidate** for Director 3.
- **May any race be cancelled?**

Aqua GD General Election	
Director 1	
	Aaron
	Andrew

Aqua GD General Election	
Director 3	
	Addie



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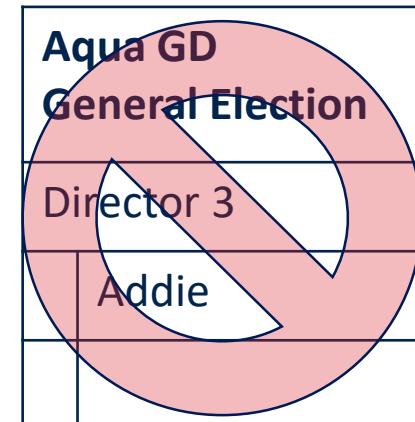
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## The Race for Director 3 May Be Cancelled

- There is **no at-large race** and **two single-member district races** on the ballot. Only one single-member district race (Director 1) is opposed.
- The **unopposed race** (Director 3) **may be cancelled** in this instance.
- Remember that the Code allows a single-member district race to be cancelled **even if** there is an opposed race in another single-member district.

Aqua GD General Election	
Director 1	
	Aaron
	Andrew





## Example 3

- In the same groundwater district at next year's election, the **at-large** director position and **Director 2** and **Director 4** are on the ballot.
- The **at-large** director position is **opposed** while the **other two** director positions are **unopposed**.
- **May any race be cancelled in the election?**

Aqua GD General Election	
Director At-Large	
Anthony	
Ava	

Aqua GD General Election	
Director 2	
Addison	

Aqua GD General Election	
Director 4	
Alex	



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## No Race May Be Cancelled

- Because the **at-large director** race is **opposed**, **no unopposed races** may be cancelled in the election.
- The **unopposed races would appear** on the ballot and would need to receive **one vote** to be elected.

Aqua GD General Election	
Director At-Large	
	Anthony
	Ava

Aqua GD General Election	
Director 2	
	Addison

Aqua GD General Election	
Director 4	
	Alex



## Example 4

- In a city general election, the **mayor is opposed**; the other at-large **councilmembers are unopposed**.
- **May any race be cancelled in the election?**

City of East General Election	
Mayor	
	Caleb
	Aaron

City of East General Election	
Councilmember 1	
	Abra

City of East General Election	
Councilmember 2	
	Lee



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## No Race May Be Cancelled

- **Nothing** can be cancelled. All the at-large candidates must appear on the ballot, **because the at-large race for mayor is opposed**.
- The **unopposed races would appear** on the ballot and would need to receive **one vote** to be elected.

City of East General Election	
Mayor	
	Caleb
	Aaron

City of East General Election	
Councilmember 1	
	Abra

City of East General Election	
Councilmember 2	
	Lee



## Example 5(a)

- School district has **five trustees** elected from **single member districts**.
- Trustees 1, 3, and 5 are up for election. Trustees 1 and 5 are **unopposed**. There are **two candidates** running for **Trustee 3**.
- Trustees **1 and 5 can be cancelled**, while the election for **Trustee 3 cannot...**

Wonderland ISD General Election	
Trustee 1	
	Alice

Wonderland ISD General Election	
Trustee 3	
	Cheshire
	Hedgehog

Wonderland ISD General Election	
Trustee 5	
	Dinah



## Example 5(a)

- **But how do Trustees 1 and 5 appear on the general election ballot?**

- A. Unopposed Candidates Declared Elected
- B. They would **NOT** appear on the general election ballot

Wonderland ISD General Election	
Trustee 1	
	Alice

Wonderland ISD General Election	
Trustee 5	
	Dinah



Wonderland ISD	
Unopposed Candidates	
Declared Elected	
	Trustee 1 - Alice
	Trustee 5 - Dinah



## Example 5(a)

### **JUST A GENERAL ELECTION**

- Trustees 1 and 5 are **not required** to appear on the **general election ballot** under the header “Unopposed Candidates Declared Elected.”
- In single member districts, the **voters** in District 3 (the opposed race) are **only eligible to vote on Trustee 3**, so Trustees 1 and 5 would not appear on their ballot.

Wonderland ISD General Election	
Trustee 3	
	Cheshire
	Hedgehog

Wonderland ISD	
Unopposed Candidates	
Declared Elected	
	Trustee 1 - Alice
	Trustee 5 - Dinah



## Example 5(b)

- School district has five trustees elected from **single member districts**. Trustees 1, 3, and 5 are up for election. Trustees 1 and 5 are **unopposed**. There are **four candidates** running for **Trustee 3**.
- The **school district** is also conducting a **special election** on a **bond**.
  - Trustees 1 and 5 can be **cancelled**, while the election for **Trustee 3** **cannot...but how do they appear on the ballot?**





## Example 5(b)

### **GENERAL + SPECIAL ELECTION**

Trustees 1 and 5 **MUST** appear on the **special election ballot** under the header “Unopposed Candidates Declared Elected” because the entity is conducting a **separate special election** at the same time as the cancelled election.

Reminder: The **bond** must appear on the ballot **first**.





## Example 6(a)

- **90 days** before a county's **bond election**, a **wildfire** breaks out and the governor declares a **disaster declaration** for the affected county. Election equipment and polling places are **damaged** by the fire.
- **When must the local political subdivision **meet** by in order to **cancel** the **bond election**?**
  - A. As soon as practicable.
  - B. Anytime before the election.
  - C. No later than 74 days before the election.





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## Example 6(a)

- Answer: **C. No later than 74 days before the election.**



- This is a **narrow window** so make sure to be aware of this option in case of a disaster declaration within 90 days of a bond election.



## Example 6(b)

- The same county that suffered a **wildfire** decides that it would be best to **cancel their bond election**. They know they need to **give notice** before the meeting to cancel the bond election.
- How much **notice** must the county give **before the meeting to cancel** the election?
  - A. 24 hours.
  - B. 72 hours.
  - C. 3 business days.





## Example 6(b)

- Answer: **C. 3 business days** (before the day of the meeting)
- The **former 72-hour notice** requirement for open meetings is now a **3 business day notice** requirement.
- Keep this in mind for open meetings like the cancellation of a bond election.





## Important Considerations

- Remember that the cancellation procedure **only applies** to a political subdivision with a **write-in deadline** for candidates.
- If the law is silent with respect to write-in candidates for your election, then there is **no write-in deadline** and your elections **may not be cancelled**.





## Important Considerations

Can an election with **pure at-large races** ever be cancelled?

- Yes.
- If an at-large election has the **same number of candidates** as the **number of offices** to be filled, that election **may** be cancelled.





## Important Considerations

- An election must be **cancelled by official action** of the governing body ordering the election **after** a certification of unopposed candidate status has been made.
  - This means at a meeting of the governing body subject to **open meetings** law (e.g. at least three business days notice).





## Important Considerations

- Remember that candidates who have been **declared elected** in a cancelled election **may not qualify for or take office** until **after** the election would have been **canvassed if it had taken place**.
  - For Type A general law municipalities, this also means officers must wait until the **6<sup>th</sup> day after the election** to qualify and take office.





## Important Considerations

- If an election is cancelled because **no one filed for office**, a **vacancy** would be declared during the **statutory canvassing period** and would be filled in accordance with the political subdivision's vacancy filling procedure.
- This is **only** if a political subdivision receives **no candidates**, as opposed to when all positions are unopposed.





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## Available Support



**WEBINARS**



**TRAINING**



**RESOURCES**

[elections@sos.texas.gov](mailto:elections@sos.texas.gov)

800-252-VOTE • 512-463-5650

[sos.texas.gov](http://sos.texas.gov)