



# Preparing, Proofing and Counting Your Ballots

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

*December 1-3, 2025*



# Texas Secretary of State

ELECTIONS DIVISION



# Preparing and Ordering Ballots



## Who Prepares the Ballot?

Authority Ordering the Election	Who Prepares the Ballot?
Governor	County Elections Officer
County	County Elections Officer
City	City Secretary
Political Subdivision	<p>Secretary of the Subdivision's Governing Body</p> <p><i>*If no secretary, the presiding officer. Frequently delegated to same employee who accepts candidate applications</i></p>



## For CSOs

**If contracting with  
the county:**

- Work closely with the county elections officer to send information about the candidates and propositions on the ballot. Ensure redistricting is complete and all precincts and ballot style information is given before the list of registered voters is prepared and before programming takes place.

**If running your  
own election:**

- Work with the county voter registrar to ensure that redistricting is complete and all precincts and ballot style information is given before the list of registered voters is prepared and before programming takes place.



## General Ballot Formatting Requirements

Printed on white or light-colored paper (not yellow) with black ink

Numbered consecutively beginning with 1 unless you own a voting system unless you use a voting system that meets ballot numbering requirements

The type on the ballot may vary in size and style for the office titles, column headings, names of candidates, proposition headings, and propositions, but the **type for each particular category must be uniform.**



## General Ballot Formatting Requirements

**Nature** and **date** of the election must be printed at the top of the ballot.

**“OFFICIAL BALLOT”** must be printed in large letters on the ballot immediately below the designation and date of the election.

Ballots must be in English, Spanish, and any other languages required in your county.

The requirements for “voting shapes” and mandatory instructions are in Secs. 52.070, 52.071, 124.063 of the Texas Election Code.



## General Ballot Formatting Requirements

Election Day ballots must have the presiding judge's signature on the back of the ballot

- Judges may use a signature stamp [Tex. Elec. Code 62.008]

Early Voting ballots must have the early voting clerk's initials on the back of the ballot

- Including ballots by mail [Tex. Elec. Code 85.0311]

These requirements apply to paper ballots **and** ballots marked by ballot marking devices

- The signature or initials should be placed on the ballot in a location and in a size/color that will not interfere with the tabulation process
  - Work with your voting-system vendor to determine the best location to place the signature and initials for your specific system configuration



## Election-Specific Requirements

### Vacancies

Elections for unexpired terms must say "unexpired term" after the office title

### Propositions

- If both propositions and offices are on the ballot, propositions must be listed after offices. [Sec. 52.072(c)]
- **Exception:** if the election of offices is contingent on the proposition, then the proposition goes first (e.g., creation elections)
- Proposition titles must have the entity's name and a unique letter of the alphabet in front of them



## Ballot Language

Except as otherwise provided by law, the authority ordering the election shall prescribe the wording of a proposition that is set to appear on the ballot.

Remember to check and see if the statute that grants authority to hold an election prescribes the ballot language

### Examples:

- Local Option Liquor Elections
- Tax Approval Elections



## NEW LAW - Ballot Language

### NEW LAW: SB 506 (R.S. 2025)

A proposition must substantially submit the question with such definiteness, certainty, and facial neutrality that the voters are not misled. [Sec. 52.072(g)]





## NEW LAW - Ballot Language

### NEW LAW: SB 1025 (R.S. 2025)

- Requires a ballot proposition that **increases or imposes** taxes to include, in capital typewritten letters of the same font size as the rest of the proposition, the statement **“THIS IS A TAX INCREASE”** at the top of the proposition. [Sec. 52.072(e)].
  - Make sure to check for the required capitalization during ballot proofing and your L&A testing
  - Language must also be on your order





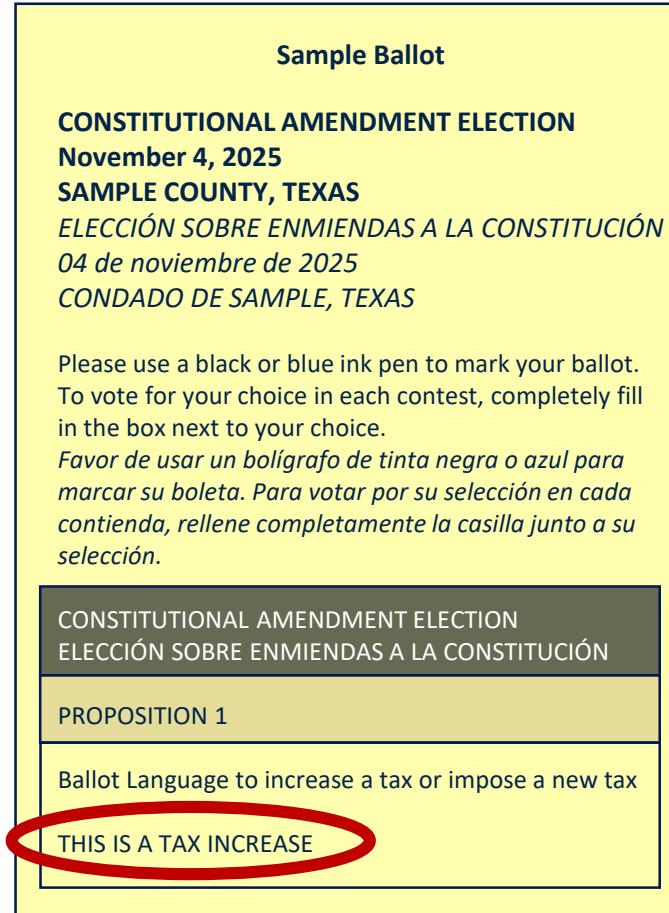
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# Ballot Language

Same Font Size and  
Capitalized Text





## Ballot Prep: Working with County

For CSOs: Even if an entity contracts with the county election officer, the entity is the authority responsible for preparing the ballot. [Sec. 52.002]

The entity is responsible for submitting ballot language and candidate names and the order in which they are to appear on the ballot to the county election officer.

For propositions, a proposition shall be printed on the ballot in the form of a **single statement** and may appear on the ballot only once. [Sec. 52.072(b)]

Your contract may have specific deadlines for when this information must be submitted to the county.



## Ballot Prep: Working with County

The entity must also provide maps to the voter registrar, who will then determine the precincts in the entity's district. This should be done well in advance of an election being ordered.

If changes need to be made, and the vendor programs the ballot, consider the turnaround time for those corrections to be made.



## Ballot Order Drawing

### Who conducts the drawing?

The authority responsible for preparing the ballot [Sec. 52.094]

### Who can be present at the drawing?

Each candidate affected by a drawing is entitled to be present or have a representative present at the drawing



## Ballot Drawing

### What are the notice requirements for ballot drawings?

- **General notice:** Must be posted in the authority's office for at least 72 hours immediately before drawing (see next slide)
- **Individualized notice:** One of three ways:
  - **Written Notice**
    - Mailed to address on candidate's application no later than fourth day before date of drawing; or provided to candidate (or candidate's representative) when the application is filed with the filing authority
    - **Email or telephone:** only if candidate provided that info on the candidate application

Notice must include the date, hour, and place of drawing



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### Sample Notice: Form 3-1

Date, hour, and place of drawing.

Notice must be posted for at least 72 hours preceding the drawing.

Notice must be posted in the office of the authority conducting the drawing.

3-1  
Prescribed by Secretary of State  
Sections 52.094, 172.082, 172.084, Texas Election Code  
9/2023

#### NOTICE OF DRAWING FOR A PLACE ON BALLOT

Notice is hereby given of a drawing to determine the order in which the names of candidates are to be printed on the ballot for the election to be held on \_\_\_\_\_, 20\_\_\_\_ in \_\_\_\_\_, Texas. The drawing will be held at \_\_\_\_\_ (a.m.)(p.m.) on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ (address, including room number, if applicable), \_\_\_\_\_, Texas.  
(month) (day)  
(name of political subdivision)  
(hour)  
(date)  
(city)

Officer Conducting Drawing \_\_\_\_\_

#### AVISO DEL SORTEO PARA UN LUGAR EN LA BOLETA

Por lo presente se da aviso que habrá un sorteo para determinar la orden en que aparecerán los nombres de los candidatos en la boleta para la elección que se celebrará el

\_\_\_\_\_, 20\_\_\_\_ en \_\_\_\_\_, Texas. El  
(día) (mes) (nombre de la subdivisión política)  
sorteo tendrá lugar a las \_\_\_\_\_ (a.m.) (p.m.) el \_\_\_\_\_, 20\_\_\_\_  
(hora) (fecha)  
a \_\_\_\_\_ (dirección, incluyendo el número del cuarto, si aplicable) \_\_\_\_\_, Texas.  
(ciudad)

Oficial Manejando el Sorteo \_\_\_\_\_



## NEW LAW - Election Supplies

**HB 1661—Provides guidance and penalties surrounding distribution of election supplies [Sec. 51.005]**

- Requires the election officer responsible for election supplies to provide the number of ballots equal to **at least** the percentage of voters who voted in the most recent corresponding election plus 25 percent of that number.
  - The number of ballots cannot **exceed** the total number of registered voters in the precinct (unless the county uses countywide)
- Makes it a criminal offense to intentionally fail to provide the required number of ballots, or not promptly supplement the distributed ballots upon request from a polling place.





## Maximum Number of Ballots Formula

The maximum number of ballots provided is the total number of registered voters in the precinct unless the county participates in the countywide polling place program. [Sec. 51.005(a-1)].

Use figures from last **similar** election (May 2025 uniform date or earlier, as applicable) to perform calculations.

Voters with an “S” designation (suspense-list voters) **do** count for this purpose.



## Minimum Number of Ballots Formula

$$A \times B + C = D$$

A = Percentage of voter turnout in a precinct

B\* = Current number of registered voters in precinct

C = Add 25% to the product of A x B

D = **Minimum** number of ballots to be ordered

\*Registered voters who appear on the list with an "S" designation are not included in the total number of registered voters in the precinct for this calculation

Use figures from last **similar** election (May 2025 uniform date or earlier, as applicable) to perform calculations.

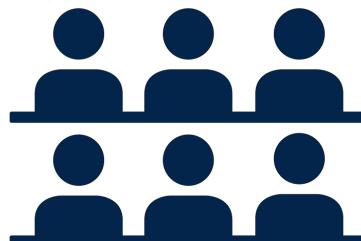
[Sec. 51.005(a), (b)]



## Table Share: Maximum and Minimum

**Calculate the Minimum and Maximum Number of Ballots that can be delivered:**

- You are running the May 2026 Election, ordering ballots for the City of Picklehead, which has staggered two-year terms for city-council members.
- In the May 2025 election, 26% of voters turned out in Precinct 1. In the May 2024 election, 21% of voters turned out.
- There are 3,656 voters in Precinct 1. 456 of these voters are on the suspense list.
- **Formula:  $A \times B + C = D$**



**Work together with people  
at your table and the table  
directly behind you.**

Timer  
4 Minutes



## Ballot Ordering: Maximum Answer

Maximum Number of Ballots = Total number of registered voters (including "S" voters)

**3656**



**Work together with people  
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directly behind you.**

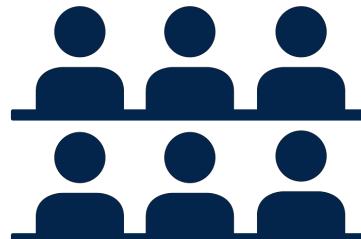
**Timer  
4 Minutes**



## Ballot Ordering: Minimum Answer

### Minimum number of ballots:

- Use the turnout percentage from the May 2025 election (not the 2024 election) because it is the most recent corresponding election: 26%. **This is A**
- Subtract the suspense-list voters (the “S” voters) from the number of registered voters in the Precinct  $(3,656-456) = 3200$ . **This is B**
- So far our formula is **.26 x 3200 + C = D**



**Work together with people at your table and the table directly behind you.**

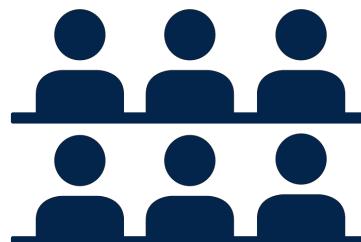
Timer  
4 Minutes



## Ballot Ordering: Minimum Answer

### Minimum number of ballots:

- Calculate turnout percentage of non-suspense voters = 26% of 3200 = 832. (A x B)
- Remember to get C we add 25% to the final product of A x B. 26% multiplied by 3200 gets us 832. Then we multiply 832 by 25%. This gets us 208. This is C in our formula.
- Adding 832 with 208 (25% of A x B) gets us **1040**. This is D.
- Final formula is **.26 x 3200 + 208 = 1040**



**Work together with people  
at your table and the table  
directly behind you.**

Timer  
4 Minutes



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# Ballot Proofing



## Proofing Will Save You!

Ballot proofing is one of the most important parts of the election process, and must be done.

Proper proofing can identify errors **before** the electronic ballot is locked down or the paper ballot has gone to the printer.

Even if you are contracting with the county, be sure to take part in the proofing process for your election.

- If they have an in-person proofing process, go to it!

Failure to proof can lead to increased costs for the election and open the entity to legal challenges.



## What to Proof

Proof the following things:

- Makes sure all candidates are included
- Candidate names, spellings and phonetic pronunciations
- Form of candidates' names complies with Election Code Sec. 52.031
- Order of names on the ballot
- Accuracy of translations
- Accuracy of instructions
- For at-large elections, the number of positions in the election
- The method of voting (e.g., cumulative-voting race, at large v. single-member)
- Any language required by statute: (e.g., "THIS IS A TAX INCREASE")



## Additional Steps in Proofing

Ballot audio: listen to the audio while looking at the words

- Make sure they match in all languages

Have multiple people look at the ballot

Ask candidates to review their positions on the ballot, name spellings and pronunciations and require them to **sign off on the ballot programming in writing.**

This is a key step in case something goes wrong later.



## Paper Ballots: When to Proof

### Paper Ballots: Proof at Every Step

- When the list of candidates or measures is assembled after the ballot drawing
- After the vendor sends the electronic/paper proof (if vendor programmed)
- Before the information is submitted to the ballot printer
- After the ballot proofs are created by the printer
- After the official ballots are received
- Before ballots by mail are sent to voters
- Before sample ballots are sent to polling locations



## Electronic Ballots: When to Proof

### Electronic Ballot: Proof At Every Step

- When the list of candidates or measures is assembled after the ballot drawing
- After the ballots are programmed into the electronic system
- After the vendor sends the electronic proof (if vendor programmed)
- During a proofing Logic and Accuracy Pretest before the Public L&A
- Before ballots by mail are sent to voters
- Before the sample ballots are sent to polling locations



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# Logic And Accuracy Testing



## NEW LAW - Public Logic and Accuracy Testing

### SB 2166—Establishes testing deadlines for Public L&A Test and First Tabulation Test

- Clarifies tabulation testing procedures for precinct scanners and central counting station equipment
- Eliminates newspaper notice requirements for voting system testing
- Adds additional testing requirements to L&A test
- Defines "representative sample" for hash validation
- Requires documentation and retesting after unsuccessful test
- Authorizes test materials to be unsealed to respond to PIRs



# Entities in More Than One County



## Entities in More Than One County

Whenever you are conducting an election, it is important to know your **exact** territory lines

- You need to know all of the counties you are located in.
- You need to be able to provide a map or specific territory description to your counties to get an accurate list of registered voters.

If you are located in more than one county, then you will need to make specific plans to address your voters in both counties

- This will always require you to get a list of registered voters from each county.
- If the county is not running your election, you will also need to get a list of Annual ABBM voters from each county that is not running your election.
- If you are holding a November election, this will also require you to set up polling locations in each county.
- If you are contracting with multiple counties, have a plan to aggregate your election results from each county.



## EIMTOC: May v. November

### May Elections

- Voters may cross county lines to vote in local entity elections in May.
- You will still need to request a list of registered voters from each county you are located in.

### November Elections

- Voters **cannot** cross county lines to vote in local entity elections in November.
  - In November, voters are required to vote by county election precincts. Voters must vote at their precinct polling place on election day.
  - If your county has one or more early voting locations in your territory, you must use at least one of those locations for your own election.
  - Your election must be set up to report your results by county election precinct.



## Entities in More Than One County: Consider

### If you are contracting with a county...

- Communicate!
  - Speak to **all** the counties you are located in.
  - Tell your county what other counties you are located in so that can coordinate.
  - Make sure you have a plan for your voters in each county, and communicate that plan to all counties you are contracting with.

### If you are not contracting with a county...

- Set up an organized plan for each portion of your election
  - Make sure you get a list of registered voters from each county you are located in.
  - Make sure you get a list of annual ABBM voters from each county.
  - If you are holding a November election, make sure you are sharing election day polling places and early voting locations in your territory with each county.



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## Ballot Corrections



## Ballot Correction: When Is It Necessary?

**Necessary correction [Sec. 52.006] when:**

- The error affects the choices that a voter makes on the ballot:
  - a candidate or race has been left off the ballot
  - a candidate remains on the ballot when their name should have been removed
  - instructions tell a voter to choose more or fewer than the number of candidates in a race.
  - Many other fact-specific situations
- Please call our office if you are unsure whether a ballot correction is necessary.



## How to Correct Ballots

Section 52.006 specifically authorizes several different methods of correction for errors on pre-printed paper ballots:

- Preparing new ballots
- Marking through or obscuring the incorrect information
- Affixing correction stickers to the ballot
  - Sticker must be printed in the same type style and on the same color paper as the ballot

Unless you hand count, new paper ballots probably require you to reprogram and retest your voting-system equipment. When the ballot is reprogrammed, the **entire ballot** must be tested again, not just the part that needed correction.



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## Ballot Correction: Notice

- Once you determine that a ballot correction is necessary, you **must** provide written notice to the Secretary of State's Office within 24 hours. [Sec. 52.0061]
  - Notice of Ballot Correction
    - [Form 3-10](#)
    - The Notice of Ballot Correction should be emailed to [Electronics@sos.texas.gov](mailto:Electronics@sos.texas.gov)

3-10  
Prescribed by Secretary of State  
Section 52.0061, Texas Election Code  
9/2023

**NOTICE OF BALLOT CORRECTION**

To: Secretary of State

I, \_\_\_\_\_, the authority responsible for having the official  
(printed name of authority)  
ballots printed for the \_\_\_\_\_ Election, to be held  
(name of election)  
on \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_, have determined that the official ballots must be reprinted  
to correct a defect in the original ballots. I understand that failure to deliver this notice to  
the Secretary of State within 24 hours after making the determination to reprint the official  
ballots is a Class A Misdemeanor.

Please explain the nature of the correction to be made

Give name, address and telephone number of the vendor who will reprint the ballots

Signature of Authority Responsible for Ordering Ballots

Printed Name of Authority Responsible for Ordering Ballots

Name of Political Subdivision



## Destruction of Incorrect Ballots

- Once the corrected ballots have been received, ballots that cannot be corrected must be destroyed. [Sec. 52.0064]
- NOTICE:** Before destroying the incorrect ballots, notice of the time and place where the ballots will be destroyed must be posted for 72 hours before the destruction of ballots will occur.
  - [Form 3-11 - Notice of Destruction of Ballots](#)
- The process must be conducted in the presence of:
  - Sheriff (in a primary election or governor-ordered election), or
  - Authority ordering the election (for all other elections)
- A record of the incorrect ballots that are destroyed must be kept.
  - [Form 3-12 – Record of Ballot Destruction](#)



## Corrected Mail Ballots

A corrected ballot **must** be sent to any ballot-by-mail voter who received an incorrect ballot. [Sec. 86.009]

- You must keep a list of the voters who have been sent a corrected ballot: [Form 3-15 – List of Voters Mailed a Corrected Ballot](#)
- Reminder: The names of voters who voted by mail are not available for public inspection until after the corrected ballot is returned. [Sec. 87.121]

When sending the balloting materials for a corrected ballot to the voter, the early voting clerk must include a written notice explaining the reason for providing the corrected ballot.

- [Form 3-14 – Notice of Correction to Ballot by Mail](#)
- A notation must be made on the carrier envelope indicating that the ballot is a corrected ballot.
- A notation must also be made on the voter's application for ballot by mail that the voter was sent a corrected ballot.



## Processing Corrected Mail Ballots

- In mail-in corrected ballot situation, the voter may end up mailing both a corrected and uncorrected ballot.
- Only one of the two ballots (incorrect or corrected) may be counted.
- To be counted, the correct ballot must be received on time under the normal rules.
- If **both** the uncorrected and the corrected ballot are received, **count the corrected ballot**.
- A voter may still cancel his or her ABBM and vote in person until the voted ballot is received by the early voting clerk. [Sec. 84.032]



## Emergency Ballots

Sec. 52.001(b) allows the presiding judge to provide emergency ballots **when an official ballot is unavailable**.

Emergency ballots are ballots that may not fully comply with official-ballot requirements.

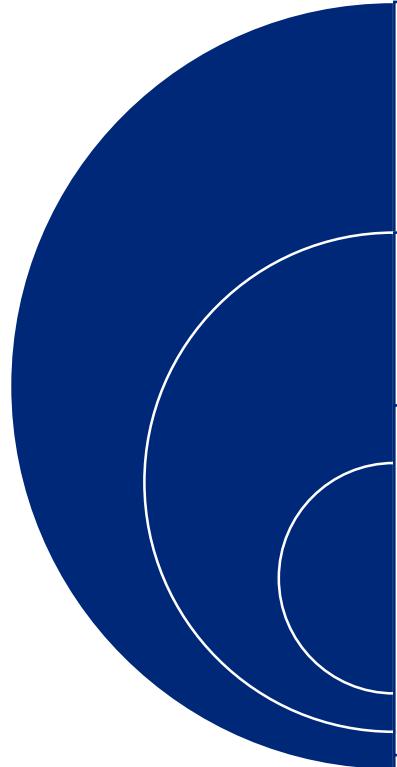
The idea with emergency ballots is that you want to get the emergency ballot as close as possible to the official ballot with the means available.

**Emergency ballots may also be used if a polling place runs out of ballots or experiences technical problems with a voting system.**

Once the polling place is open, it must remain open. Running out of ballots is not a reason for closing the polling place or temporarily suspending voting.



## Emergency Ballots Part 2



There are many options for creating emergency ballots.

Can be used for mail voting as well as in person.

If you need to use emergency ballots, **call the Secretary of State!** We can help you work through the options, which will depend on your voting system, the number of possible voters and other factors.



## Ballot Correction Advisories and Resources

- [Advisory 2020-23: Ballot Corrections](#)
- [Advisory 2024-03: Emergency Ballot Procedures](#)



# Texas Secretary of State

ELECTIONS DIVISION



## Counting Ballots



## Counting Ballots: First Questions

1. Is your entity contracting with a county?
2. Is it a joint election with any other entities?
3. Are you running our own election?
4. Will there be a central counting station or hand-counted paper ballots at precinct?
5. What type of voting system or systems will be used?
6. How will accessibility requirements be met?
7. How will each type/category of ballots be counted?
  - Ballot by mail
  - In-person early votes
  - In-person election day votes



## When to Count

**Most ballots must be counted continuously on Election Day**

- Early Voting in Person
- Early Voting by Mail (Received by Election Day)
- Election Day Ballots

**Some types of ballots are counted after Election Day**

- Provisional Ballots
- Late domestic ABBM Ballots
- Mail ballots corrected through corrective action
- Late ABBM or non-military FPCA ballots mailed from outside the US
- Late ballots from military voters using FPCA

**Please see our election-law calendar for specific deadlines.**



# Approved Ballot-Counting Methods

**Direct-recording electronic systems (DREs)**

**Hand-counted paper ballots**

**Scanner-counted ballots**



## Direct-Recording Electronic Systems (DREs)

Voters vote on a machine by touching a screen, monitor, wheel, or other device. The machine records votes electronically.

Two options for counting

- Presiding judge of Central Counting Station can prepare precinct returns after they are transferred to the General Custodian.
- Presiding Judge of the polling place can print and sign tapes at the precinct polling place and the General Custodian will aggregate the totals.

A direct-recording electronic voting machine deployed for early voting may not be redeployed on election day. [Sec. 129.057]

DREs are being phased out!



## DREs Are Going Away

- After Sept. 1, 2026, DRE voting systems may not be used in Texas elections. (SB 598, 87th Regular Session)
  - Exception: DRE systems may be used for curbside voting.  
[Sec. 129.003(i)]
- After Sept. 1, 2026, only paper-based methods may be used.
  - Hand-marked paper ballots; or
  - Paper-based electronic-voting systems
- If your entity uses DREs, **start planning to replace them now.**



## Hand-Counted Paper Ballots

- Refers to a ballot that is made of paper and meant to be hand counted
- References in the Election Code to “paper ballots” are referring to hand-counted paper ballots. [Chapter 66]
- If ballots are counted by hand, election-day precinct returns are **always prepared by the presiding judge** of the polling place.
  - Precinct returns for early voting in person and ballot by mail are prepared by the presiding judge of the early voting ballot board.
- Returns and counted ballots are delivered to the General Custodian by the Presiding Judge or a clerk designated by the judge. [Secs. 66.051, 66.052]
  - Counted at the precinct polling place
  - Vote centers are not allowed when hand-counting ballots
  - Returns are precinct based



# Hand Counting Resources

Procedures for conducting a hand count:

- Election Day Ballots**
  - Election Judges and Clerks Handbook
- Early Voting Ballots, Provisional Ballots**
  - EVBBB Handbook



## Hand-Counted Paper Ballots: Precinct Results

Presiding Judge and the election clerks will count the ballots at the precinct polling place.

Presiding Judge will complete precinct returns for the polling place.

The precinct returns, voted ballots, and other precinct election records are delivered to the General Custodian of Election Records by the Presiding Judge.

The General Custodian will take the early voting results, provisional ballot results (if available), and the precinct returns and will add all of them together to determine the unofficial election returns.



## Hand-Counted Ballot: Reminders

Ballots are NOT counted by the General Custodian.

There is NO Central Counting Station for hand-counted paper ballots!

There is no authority for poll watchers to be present when the General Custodian is determining unofficial election results.



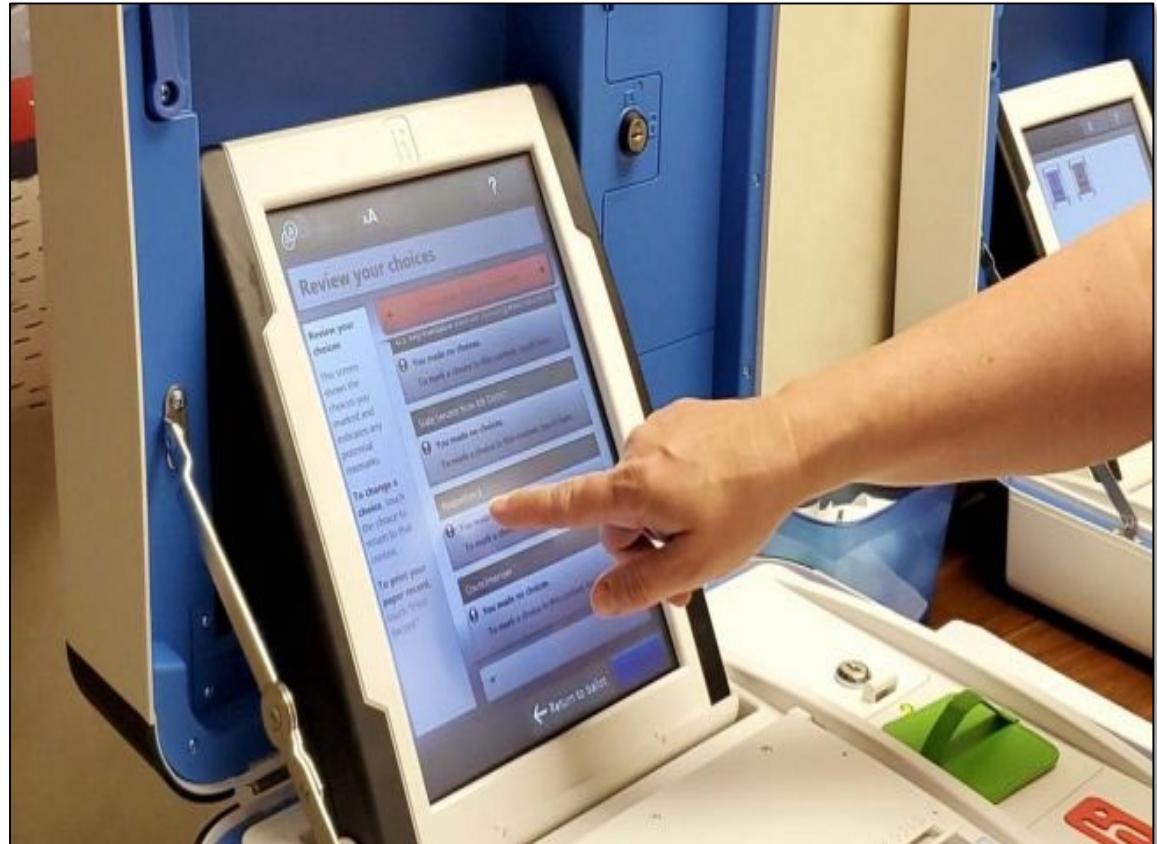
## Scanner-Counted Ballots

- Ballots are made of paper and marked by using an indelible marking instrument to fill in a square or shape next to the candidates' names or "for" or "against" a ballot measure.
- Alternatively, the ballot may be marked using a ballot-marking device that produces a printed-vote record that will be scanned after the voter completes the voting session.
- **Two Variations:**
  - **Precinct Scanner:** Ballots are deposited by the voter into a scanner at the precinct or polling place.
  - **Central Scanner:** Ballots are deposited by the voter into a locked, sealed ballot box. The ballot box is later transferred to a central counting station for counting.



## Ballot-Marking Devices

- A BMD is a voting machine with a display screen that the voter uses to mark a paper ballot
  - The voter selects their choices electronically on the screen and the system prints out a paper ballot with those choices.
- The paper ballot is then counted by hand or scanner.





## Central Counting Station—Do I need one?

- **You need a CCS if:**
  - Results are generated by reading media into a central computer
  - Election-day ballots from your polling locations are brought to a central location and read into a scanner
- **You do not need a CCS if:**
  - Ballots are hand-tallied in the precinct polling place
  - Results are generated by printing tapes from scanning equipment in the precinct polling place and adding those totals by hand or calculator
- **If you're not sure, just ask!**



## Establishing a Central Counting Station

**The authority that adopts a voting system is responsible for establishing one or more central counting stations.**

- For a political subdivision's election, this is the political subdivision's governing body. [Sec. 127.001]

**The central counting station manager must establish and implement a written plan for conducting the CCS.**

- This plan must be available to the public on request not later than 5 p.m. on the fifth day before the date of election.



## Licensed Peace Officer at CCS

- **Licensed Peace Officer at CCS**
  - **Must** be posted to ensure security of ballot boxes whenever CCS is tabulating.
  - Applies to all counties and entities. [Sec. 127.1232]





## Central Counting Station Activities

- Presiding Judge of CCS is responsible for determining voter intent (for hand-marked paper ballots and write-in votes)
- CCS is not open to the public, but duly appointed poll watchers may be present.
- Counting must be conducted continuously until all ballots that can legally be counted on Election Day are counted. [Sec. 65.002(c)]
  - You can't go home and come back in the morning!
- After CCS has adjourned on election night, there is no authority to reconvene **for the specific purpose of resolving errors**. A court order is required to take this action.
- But the CCS must reconvene to count late arriving mail ballots and provisional ballots. These are regular CCS activities.



## Who Prepares Election Night Returns?

Counting Method	Precinct Returns	Election Night Returns
Ballots hand-tallied at the precinct or aggregation of results tapes printed at the precinct polling place	Presiding Judge of the Polling Place	General Custodian of Election Records
Ballots counted at a Central Counting Station	Presiding Judge of the Central Counting Station	Presiding Judge of the Central Counting Station



## Counting Ballots - General Reminders

- **Early Voting Clerk does not count ballots!**
  - Early-voting ballots must be counted by EVBB or central counting station.
  - Election-day ballots are counted either by polling place workers or central counting station, depending on the systems.
- **Counting of qualified ballots must occur on election day or night.**
  - You can't stop and come back in the morning to resume counting.
- **Double check the number of voters who voted at each polling place with the totals for that polling place.**
  - If the total number of voters doesn't match the total number of voted ballots by a substantial amount, there may be a problem.
- **If you have questions, contact the SOS that night.**



## Reconciliation on Election Night

The Presiding Judge of the CCS must provide and attest to a written reconciliation of votes and voters at the close of tabulation on Election Day. [Sec. 127.131(f)]

### Election Night Preliminary Reconciliation Form - [Form 12-1](#)

- This is used for the reconciliation process on election night.

Must be posted on the entity's website as soon as practicable after the unofficial count has concluded.

- Must be accessible by the “two click” rule. [Sec. 65.016(c)(2)]
- Have your IT Department standing by to assist, if needed



## Reconciliation After Counting

- The Presiding Judge of the CCS must provide and attest to a written reconciliation of votes and voters at the close of tabulation on Election Day and again after the Central Counting Station meets for the last time. [Sec. 127.131(f)]
- Must also perform this reconciliation after the CCS meets for the last time to count late-arriving mail ballots, provisional ballots and ballots that were subject to the corrective action process.
- Election Reconciliation - Official Totals - [Form 12-2](#)
  - This is used for your final reconciliation after the last meeting of CCS.
- Post the form on your entity's website.
- Remember the “two click” rule and have your IT Department standing by to assist, if needed



# Texas Secretary of State

ELECTIONS DIVISION



## 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)