

In light of the unprecedented danger posed to our community and Travis County’s registered voters, it is imperative to align the early voting periods of the Senate District 14 (“SD 14”) race and the primary runoff elections for both the Republican and Democratic parties. Failure to align the early voting periods will not only cause voter confusion, but will also increase the risk of exposure to a highly infectious and dangerous disease – COVID-19. Specifically, the failure to

align the early voting periods will: (1) increase the number of days and hours that poll workers will be exposed to potentially infected individuals; (2) increase the number of election workers, employees, and poll workers necessary to conduct the elections; (3) increase the danger to voters because they will have longer wait times due to difficulty in filling poll worker positions; and (4) increase the exposure of voters to potentially infected individuals because voters who appear at an early voting location to vote during the first week of voting for the special election would be required to vote in person twice, able to obtain only a ballot for the special election on their first visit, and having to return a second time during the following week if they wished to vote in a primary runoff election.

II. PARTIES

Counter-Plaintiff is Dana DeB940389

eauvoir, is the duly elected County Clerk of Travis County, Texas.

Counter-Defendant, Texas Democratic Party, is a Plaintiff herein, has made a general appearance in this matter, and may be served through their attorneys of record.

Counter-Defendant, Gilberto Hinojosa, in his capacity as Chairman of the Texas Democratic Party, is a Plaintiff herein, has made a general appearance in this matter, and may be served through his attorneys of record.

Counter-Defendant, Joseph Daniel Cascino, is a Plaintiff herein, has made a general appearance in this matter, and may be served through his attorneys of record.

Counter-Defendant, Shanda Marie Sansing, is a Plaintiff herein, has made a general appearance in this matter, and may be served through her attorneys of record.

Counter-Defendant, State of Texas, is an Intervenor-Defendant herein, has made a general appearance in this matter, and may be served through its attorneys of record.

Counter-Defendant, Zachary Price, is an Intervenor-Plaintiff herein, has made a general appearance in this matter, and may be served through his attorneys of record.

Counter-Defendant, League of Women Voters of Texas, is an Intervenor-Plaintiff herein, has made a general appearance in this matter, and may be served through its attorneys of record.

Counter, Defendant, League of Women Voters of Austin-Area, is an Intervenor-Plaintiff herein, has made a general appearance in this matter, and may be served through its attorneys of record.

Counter-Defendant, Move Texas Action Fund, is an Intervenor-Plaintiff herein, has made a general appearance in this matter, and may be served through its attorneys of record.

Counter-Defendant, Workers Defense Action Fund, is an Intervenor-Plaintiff herein, has made a general appearance in this matter, and may be served through its attorneys of record.

III. JURISDICTION AND VENUE

This Court has jurisdiction over this matter under the Texas Election Code and venue is proper in this county because this matter concerns an election scheduled to occur in Travis County, Texas. Furthermore, the relief sought in this Counter-Petition concerns an election that is made the basis of declaratory relief requested by the Plaintiffs, Intervenor-Plaintiffs, and Intervenor-Defendants herein.

IV. STANDING

Counter-Plaintiff DeBeauvoir is the duly elected County Clerk of Travis County, Texas. She is the official tasked with numerous statutory duties as an Early Voting Clerk under the Texas Election Code concerning three elections currently scheduled to occur on Tuesday, July 14, 2020, specifically: (1) the primary runoff election for the Texas Democratic Party's candidates; (2) the primary runoff election for the Republican Party of Texas' candidates; and (3) the special election called by Governor Abbott for Texas Senate District 14. *See, e.g.,* Tex. Elect. Code §§ 83.001

(early voting clerk shall conduct early voting in each election) & 83.002 (County Clerk is the early voting clerk for the county in primary elections and special elections called by the governor).

Pursuant to the Texas Election Code, DeBeauvoir in her official capacity as the Early Voting Clerk for the foregoing elections has the authority to determine the earliest practicable date on which early voting by personal appearance shall begin if it is not possible to begin on the prescribed date as set by the authority ordering the election. *Id.*, § 85.001(d). The parties to this litigation do not agree to align the early voting periods, and the Secretary of State advisories instructs clerks to obtain a Trial Court order. **Exhibit 1**, Secretary of State Election Advisory 2020-14.

For the reasons set forth herein, DeBeauvoir believes it is neither possible nor practicable to hold divergent early voting periods for the SD 14 Election and the parties' primary runoff elections. Accordingly, she seeks relief to align the early voting periods for these elections so that they will occur simultaneously.

V. NECESSITY FOR RELIEF

Due to the unique and historically unprecedented circumstances presented by the ongoing COVID-19 pandemic, including evolving medical advice, and concomitant emergency proclamations issued by federal, state, and local government officials that residents must “shelter in place”, “stay at home”, or practice “social distancing” to prevent the rapid spread of COVID-19, a highly contagious virus with potentially fatal consequences, DeBeauvoir reasonably anticipates that there will be a shortage of election judges and poll workers available for the early voting periods associated with these July 14, 2020 elections, and that the typical arrangements for polling locations will need to be substantially modified in order to provide reasonable access to voters while complying with public health and safety requirements and recommendations.

DeBeauvoir anticipates the shortage of election judges because of her experience with the March 3, 2020 primary elections, which were conducted in the earlier phase of COVID-19. During those recent elections, there were significant issues with staffing.

Additionally, if the early voting periods are not changed, many voters who seek to vote in both the SD 14 Election and one of the parties' primary runoff elections could be required to appear at an early voting polling place on two separate occasions. Specifically, if these voters vote by personal appearance during the first week of early voting for the SD 14 Election, they would be required to return to an early voting polling place to vote in person during the following week in order to cast a ballot for candidates in either the Texas Democratic Party or Republican Party of Texas' primary runoff elections or come to a polling place on election day to cast a ballot in a primary runoff election. Although it is a concern that these divergent early voting periods are likely to cause confusion among voters, and they could be discouraged from returning to vote a second time, the biggest concern is the contradiction to current orders and CDC recommendations by having voters appearing twice to vote in the elections.

VI. BACKGROUND FACTS

Governor Abbott has called a special election for SD 14 to occur on Tuesday, July 14, 2020, with early voting by personal appearance to begin on Monday, June 29, 2020. *See* Proclamation by the Governor of the State of Texas dated March 16, 2020 ("SD 14 Proclamation"), attached hereto as **Exhibit 2**. Under the Texas Election Code, in-person early voting for the SD 14 election will end on Friday, July 10, 2020.

Pursuant to the Texas Election Code, in-person early voting for the Texas Democratic Party primary runoff election and the Republican Party of Texas' primary runoff election will begin on

Monday, July 6, 2020, and will end on Friday, July 10, 2020. See **Exhibit 3** Secretary of State Election Advisory 2020-13.

The right to vote is “the essence of a democratic society, and any restrictions on that right strike at the heart of representative government.” *Reynolds v. Sims*, 377 U.S. 533, 555 (1964). It is also expressly protected by the Constitution. U.S. Const. am. XIV § 2, XV, XVII, XIX, XXIV. During this public health crisis, “maximum safety” for all people, including election poll workers and voters, is to minimize contact with others, especially in view of shortages in personal protective equipment. See <http://www.austintexas.gov/department/health>; and <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>.

Under these extraordinary circumstances, DeBeauvoir must conduct these three elections on July 14, 2020, including conducting early voting for all three elections, while taking steps to ensure the safety of poll workers and voters by complying with “social distancing” and other precautions. Pursuant to the CDC, people infected with COVID-19 may infect others prior to the onset of symptoms, and a single asymptomatic voter, election clerk, or poll worker could infect hundreds of others. See <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>.

DeBeauvoir must also comply with emergency orders currently in place for Travis County and the City of Austin, which restrict public gatherings except for specific and limited activities. It appears increasingly likely that these orders will extend beyond their current period for weeks, if not months.¹

Both Travis County’s and Governor Abbott’s efforts to stop the spread of COVID-19 are far-reaching because the virus presents a grave threat to public health, as reflected by events

¹ Ryan O’Hare, *Coronavirus Pandemic Could Have Caused 40 Million Deaths If Left Unchecked*, <https://www.imperial.ac.uk/news/196496/coronavirus-pandemic-couldhavecaused-40/>.

unfolding in New York City, New Orleans, and around the world.² These measures include closing all but the most essential businesses and ordering residents to shelter-in-place. The Governor's Order has closed schools and universities throughout Texas until May 4, 2020, and many school districts have decided to close campuses and facilities for the remainder of their school years and throughout summer to help prevent the spread of COVID-19. These measures are necessary because this virus poses a high risk of death to a large number of people and creates a substantial risk of public exposure because of the disease's method of transmission and evidence that there is community spread in Texas. Currently, authorities expect a surge of COVID-19 cases in the coming weeks and months. Texas officials all across the state are trying to ensure that there will be adequate medical supplies, hospital capacity, and healthcare workers to prevent the system from collapsing, which would further endanger public health and safety. Avoiding collapse requires that everyone take actions to conserve PPE resources for use by healthcare workers.

Daily news reports contain dire warnings about the national shortage of PPE along with an increased need for it to deal with highly infectious patients. Many hospitals in Texas report that they are critically short on supplies. These types of warnings and various governmental limitations on the number of persons who may gather at any one location, combined with "shelter at home" orders to prevent the transmission of COVID -19 and "flatten the curve" and preserve medical resources, including conservation of medical-quality PPE to ensure healthcare workers' ability to effectively treat COVID -19 patients,³ have substantially reduced the number of persons available and willing to act as poll workers. Almost universally, such persons – many of whom fall within

² Mattia Ferraresi, *A Coronavirus Cautionary Tale From Italy: Don't Do What We Did*, (Boston Globe, Mar. 13, 2020), <https://www.bostonglobe.com/2020/03/13/opinion/coronavirus-cautionary-tale-italy-dont-do-what-we-did/>; Mirco Nacoti, et al, *At the Epicenter of the COVID-19 Pandemic and Humanitarian Crises in Italy: Changing Perspectives on Preparation and Mitigation*, NEJM Catalyst: Innovations in Care Delivery, Mar. 22, 2020), <https://catalyst.nejm.org/doi/full/10.1056/CAT.20.0080>.

³ See Governor Abbott's Executive Order GA-09, dated March 22, 2020, attached hereto as **Exhibit 4**.

populations that are particularly vulnerable to more serious complications from a COVID-19 infection – have expressed concern about the lack of PPE available for their own use to prevent the unknowing transmission of COVID-19 by an asymptomatic person.

Additionally, the number of available polling locations has been significantly reduced as a result of changes in the way that many businesses are operating to comply with the various emergency orders and medical guidance. For example, many grocery stores that traditionally serve as early polling locations in Travis County have reduced their operating hours and have instituted procedures to limit the number of persons in their stores at any given time.

VII. REQUESTED ALIGNMENT OF EARLY VOTING PERIODS

There is no question that stopping the spread of COVID -19, ensuring healthcare workers have sufficient PPE, and avoiding contact that would contribute to a spike in new cases is in the public's best interest at this time. Therefore, DeBeauvoir, in accordance with Section 85.001(d) and guidance contained in the most recent Election Advisories issued by the Texas Secretary of State concerning COVID-19, requests that this Court grant her immediate relief by ordering the alignment of the in-person early voting periods for the SD 14 Election and the parties' respective primary runoff elections, so that all early voting in person for these elections will occur between Monday, July 6, 2020 and Friday, July 10, 2020.

VIII. ARGUMENTS AND AUTHORITIES

The foregoing relief, which is limited to the in person early voting period for the SD 14 Special Election, would facilitate, rather than interfere with, the elective process. *See Blum v. Lanier*, 997 S.W.2d 259, 263 (Tex. 1999) (holding injunction that delays the election would be improper, but injunction that facilitates the elective process may be appropriate); *Ellis v. Vanderslice*, 486 S.W.2d 155, 159–60 (Tex. Civ. App.—Dallas 1972, no writ) (courts may act to

facilitate election process). Furthermore, DeBeauvoir, in her official capacity as the statutory early voting clerk, has determined that – due to the unprecedented circumstances facing election officials and the electorate in preparing for these three elections scheduled for July 14, 2020 – it would be both impossible and impracticable to conduct safe and fair elections unless the “in person” early voting periods for the SD 14 Election and the parties’ respective primary runoff elections are aligned so that they may occur simultaneously. DeBeauvoir believes that the earliest practicable date on which “in person” early voting for the SD 14 Election can occur is Monday, July 6, 2020. *See*, Tex. Elect. Code § 85.001(d).

WHEREFORE, PREMISES CONSIDERED, Defendant Travis County Clerk, Dana DeBeauvoir asks that this Court enter an order granting the relief requested, as well as other and further relief to which she may show herself justly entitled.

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Respectfully submitted,

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ATTORNEYS FOR DEFENDANT
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DANA DEBEAUVOIR

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **Defendant Travis County Clerk, Dana DeBeauvoir's Counter-Petition to Align Early Voting Period** was served in accordance with the Texas Rules of Civil Procedure by electronic service and/or electronic mail on all parties and attorneys of record in this proceeding on this 10th day of April, 2020, including:

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COVID-19 - As recommended precautions continue to increase for COVID-19, the James E. Rudder Building will be closed to visitors and customers beginning Wednesday, March 18, 2020. The Office of the Secretary of State is committed to continuing to provide services to ensure business and public filings remain available 24/7 through our online business service, [SOSDirect](#), as well as [United States Postal mail](#), email, and faxes. If needed, you may schedule an appointment related to apostilles by calling (512) 463-5705. Calls will be accepted Monday – Friday, 8:00 am – 5:00 pm. Thank you in advance for your patience during this difficult time.

Note - Navigational menus along with other non-content related elements have been removed for your convenience. Thank you for visiting us online.

Election Advisory No. 2020-13

Updated July 14, 2020 Primary Runoff Calendar

Note: For deadlines affecting all candidates, refer to our online [2020 Candidates' Guide Important Dates](#) calendar. **Remember that under Section 41.007(d) of the Texas Election Code, no other elections may be conducted on primary or runoff primary election day.**

[Download PDF version of the Calendar](#)

MARCH 2020						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
<u>15</u>	16	17	<u>18</u>	19	20	<u>21</u>
22	<u>23</u>	24	<u>25</u>	26	27	28
29	30	31				

APRIL 2020						
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MAY 2020						
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24	25	<u>26</u>	27	28	29	<u>30</u>
31						

JUNE 2020						
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21	22	<u>23</u>	<u>24</u>	25	<u>26</u>	27

JULY 2020						
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<u>12</u>	<u>13</u>	<u>14</u>	<u>15</u>	16	17	18
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AUGUST 2020						
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SEPTEMBER 2020						
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28	29	30				

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1. Note on July 14 Primary Runoff Election Day

Pursuant to Governor Abbott's proclamation on March 20, 2020, the primary runoff election has been postponed from the May 26, 2020 date to July 14, 2020. This calendar will cover the different changes to the election law calendar resulting from the postponed election date. Note that some dates will remain unchanged because they are based on the date of the primary election or the party conventions rather than the date of the runoff primary election.

2. Note on Campaign Information

Under Title 15 of the Texas Election Code, candidates running for office must file campaign contribution and expenditure reports. For further information and all questions about such disclosure filings, campaign finance, and political advertising, please contact the [Texas Ethics Commission](#) at 201 E. 14th, 10th Floor, Austin, Texas 78701; call 512-463-5800; or access their website. Candidates filing for federal offices should contact the [Federal Elections Commission](#) toll-free at 1-800-424-9530 or visit their website.

3. Note on Submissions to the U.S. Department of Justice

On June 25, 2013, the United States Supreme Court issued its decision in **Shelby County, Alabama v. Holder**, 133 S. Ct. 2612 (2013). That decision held that Section 4 of the federal Voting Rights Act of 1965 is unconstitutional and its formula can no longer be used as a basis for subjecting jurisdictions to preclearance. We suggest that Texas counties or other Texas political subdivisions discuss the effect of **Shelby** and the continuing applicability of other provisions of the Voting Rights Act with their legal counsel.

4. Note on Statutory and Administrative Code References

Unless otherwise indicated, all references are to the Texas Election Code. The county election officer is either the county clerk, the county elections administrator, or the county tax assessor collector, depending on the actions of the county commissioners court. (Secs. 31.031, 31.071 & 31.091). The county voter registrar is either the county clerk, the county elections administrator, or the county tax assessor collector, depending on the actions of the county commissioners court. (Secs. 12.001, 12.031, 31.031 & 31.071).

Any references to the Texas Administrative Code are cited to the relevant section of the "T.A.C."

5. Note on Notice of Elections

The county clerk must post a notice of election on or before the 21st day before the election. (Secs. 4.003(b), 172.1112). (**NOTE:** There is no requirement to publish notice of the primary or runoff primary elections in a newspaper, and the cost of any such publication will not be reimbursed with primary funds.) For the Tuesday, March 3, 2020 Primary Election, this notice must be posted on the county's website (or, if the county does not have a website, on the commissioners court bulletin board) on or before Tuesday, February 11, 2020. For the Tuesday, July 14, 2020 Runoff Primary Election, the notice must be posted on or before Tuesday, June 23, 2020.

This notice **must** include:

1. The type and date of the election;
2. The location of each polling place, including the street address, room number, and building name;
3. The hours the polls will be open;
4. The location of the main early voting polling place, including the street address, room number, and building name;
5. The regular dates and hours for early voting by personal appearance;
6. The dates and hours of any Saturday or Sunday early voting, if any; and
7. The early voting clerk's mailing address.

(Secs. 4.004, 83.010, 85.004, 85.007)

Note regarding branch early voting locations: The branch early voting locations are no longer a required part of the notice under the Texas Election Code. However, the early voting clerk must post a schedule stating the location of those branch early voting locations and the dates and hours that temporary branch voting will be conducted. That schedule must be posted on the county's website if the county has a website, otherwise it must be posted on the commissioners court bulletin board. (Secs. 4.004, 85.067, 85.068).

Notice for Consolidated Precincts. If precincts are to be consolidated for the election, a notice of consolidated precincts must also be posted and may be included on the Notice of Election. (Sec. 4.003, 172.1112)

Notice of Changed Polling Place: If a different polling place is being used from the previous election held by the same authority, notice must be posted at the entrance of the previous polling place informing voters of the current polling place location, if possible, no later than the day before election day. (Sec. 43.062).

Notice of Nearest Polling Places in Countywide Election (NEW LAW NOTE): HB 3965, as enacted by the 86th Legislature (2019), amended Section 43.007 to require counties who participate in the countywide polling place program to post a notice at EACH countywide polling place listing the four nearest locations to that polling place by driving distance.

NEW LAW NOTE: HB 1241, as enacted by the 86th Legislature (2019), adds Section 1.021, which requires that in any situation where the Election Code requires notice of a polling place location, the written notice must state the building name, if any, and the street address (including any suite or room number) of the polling place.

NEW LAW NOTE: HB 933, as enacted by the 86th Legislature (2019), amends Section 4.003(b) to require the county to post a copy of the election notice on the county's website, if the county maintains a website. If the county does not maintain a website, then the county clerk will post a copy of the election notice on the bulletin board used for commissioners court meetings.

NEW LAW NOTE: HB 933, as enacted by the 86th Legislature (2019), amends Section 85.007 to require the notice of the early voting dates and hours that must be posted continuously for 72 hours before voting begins to be posted on the county's website. If the county does not maintain a website, then the county clerk will post a copy of the election notice on the bulletin board used for commissioners court meetings.

NEW LAW NOTE: HB 2640, as enacted by the 86th Legislature (2019), amended 172.1112 to require the county to post the notice of election and notice of consolidated precincts on the county's website if the county maintains a website. Under the prior version of the law, the notice was required to be posted on the party's website.

6. Note on Joint Primaries

In many Texas counties, the commissioners court, the county election officer, and the county chair of each political party holding a primary election in the county will sign a joint resolution agreeing to hold a joint primary. (Sec. 172.126(a)). Joint primary elections are held in approximately 40% of Texas counties, with the political parties sharing election equipment, polling places, and a team of election workers in each polling place composed of an even number of workers from each political party. (Sec. 172.126; 1 T.A.C. Ch. 81, Subch. G). The entries in this calendar are generally written in terms of primary elections being held separately rather than jointly. Unless indicated to the contrary, entries in this calendar are applicable whether a primary election is held separately or jointly. However, in a joint primary, the authority responsible for carrying out many of the activities associated with conducting an election will be the county election officer. (Sec. 172.126).

7. Note on Testing Tabulating and Electronic Voting Equipment

Note on Ballot Testing:

Once all candidate filing deadlines have passed, we recommend that you proof and test your ballot programming as soon as possible. Early testing will allow adequate time to locate any errors and make any necessary corrections in ballot programming. We also strongly suggest that you have candidates proof their names and offices before finalizing the ballot to avoid the necessity for last minute ballot corrections.

Note on Logic and Accuracy Test:

We recommend establishing a date to perform the first test of your electronic voting equipment (L&A, or Logic and Accuracy Test) as soon as possible. We recommend that this test be performed on a date that allows time to correct programming and retest, if necessary. A notice of this test must be published by the custodian of the electronic voting equipment at least 48 hours before the date of the test. That notice must be posted on the county's website if the county maintains a website, otherwise it must be posted on the commissioners court bulletin board. (Sec. 129.023; [Tex. Sec'y of State Election Advisory No. 2019-23](#)). Additionally, for a primary election, the custodian must notify the county chair of the test 48 hours prior to the test. The L&A test must be conducted not later than 48 hours before voting begins on a voting system. (Sec. 129.023).

Note on Testing Tabulating Equipment:

The automatic tabulating equipment used for counting ballots at a central counting station must be tested three times for each election. (Ch. 127, Subch. D). We recommend you test the equipment as soon as possible; early testing will allow adequate time to locate any errors and make any necessary corrections in programming. However, the first test **must be conducted at least 48 hours before** the automatic tabulating equipment is used to count ballots voted in the election. The second test shall be conducted immediately before the counting of ballots with the equipment begins. The third test must be conducted immediately after the counting of ballots with the equipment is completed. Please note that the custodian of the automatic tabulating equipment must publish notice of the date, hour, and place of the first test in a newspaper at least 48 hours before the date of the test. Additionally, in a primary election, the custodian must notify the county chair 48 hours prior to the time of the test. (Sec. 127.096). The electronic files created from the L&A testing are what must be used for testing the tabulating equipment. ([Tex. Sec'y of State Election Advisory No. 2019-23](#))

Precinct tabulators must also be tested in accordance with the procedures set forth in Chapter 127, Subchapter D of the Texas Election Code to the extent those procedures can be made applicable. (Sec.127.152; [Tex. Sec'y of State Election Advisory No. 2019-23](#)).

Our recommendation is that both L&A testing and testing of the automatic tabulating equipment take place prior to ballots by mail being sent out. However, should there be a reason to delay testing, please be advised that L&A testing must be conducted at least 48 hours before voting begins on a voting system. This means that L&A testing should be completed before early voting and possibly, before election day, if your election day system is different than your early voting system. Additionally, the automatic tabulating equipment may not be used to count ballots voted in the election until a test is successful.

For more information on testing tabulating equipment used at the central counting station, please see Chapter 127, Subchapter D of the Election Code and [Tex. Sec'y of State Election Advisory No. 2019-23](#). See Chapter 129, Subchapter B of the Election Code and [Tex. Sec'y of State Election Advisory No. 2019-23](#) **for other types of testing such as functionality tests, logic and accuracy tests, tests for central accumulators, etc.** Please see [Tex. Sec'y of State Election Advisory No. 2019-23](#) for additional information regarding voting system equipment access, security and preservation, and chain of custody.

8.Note on Conventions of Parties Holding Primary Elections

Precinct Conventions

Time and Place. Section 174.022 of the Texas Election Code provides that precinct conventions may be held at a time and place determined by rules adopted by the state executive committee of a political party. If precinct conventions are held on general primary election day, the hour set for convening the conventions may not be earlier than 7:00 p.m. or later than 9:00 p.m., but a convention may not convene until the last voter has voted at the precinct polling place. If precinct conventions are held on a day other than general primary election day, the county executive committee must set the hour for convening or a time frame in which the convention must convene. (Secs. 174.021 & 174.022)

NEW LAW NOTE: HB 2640, as enacted by the 86th Legislature (2019), amends Section 174.021(b) to allow a political party to hold their precinct conventions during the county convention and at the same place as the county convention.

Notice Required: Section 174.023(a) requires the county chair to post a notice of the date, hour, and place for convening each precinct convention on the county or state party's Internet website or other Internet location easily found through a search engine. If the county party does not maintain an Internet website, the chair shall post the notice on the county commissioners court bulletin board. The notice must remain posted continuously for the 10 days immediately preceding the date of the convention. Because the convention times are not yet determined, this calendar does not show any deadlines for posting such notices. (Sec.174.023(b)).

NEW LAW NOTE: HB 2640, as enacted by the 86th Legislature (2019), repealed Section 174.023(b). The county chair is no longer required to deliver written notice to the county clerk of the date, time and place of each precinct convention by the 10th day before the date of the conventions.

County and Senatorial Conventions

Time and Place: Section 174.063(a) provides that the state executive committee by rule specifies the date the county and senatorial conventions will be held. Under Section 174.021 of the Texas Election Code, a political party may by rule allow a county to hold precinct conventions before or during the county convention on the same day and at the same place as the county convention.

NEW LAW NOTE: HB 2640, as enacted by the 86th Legislature (2019), amends Section 174.021(b) to allow a political party to hold their precinct conventions during the county convention and at the same place as the county convention.

Notice Required: Section 174.064(a) requires notice of the hour and date for convening each county convention to be posted electronically on the county or state party's Internet website or on the bulletin board used for posting notice of meetings of the commissioners court. The notice must remain posted continuously for the 10 days immediately preceding the date of the convention. Because the convention times are not yet determined, this calendar does not show any deadlines for posting such notices.

NEW LAW NOTE: HB 2640, as enacted by the 86th Legislature (2019), repealed Section 174.023(b). The county chair is no longer required to deliver written notice to the county clerk of the date, time and place of the county and senatorial district conventions by the 10th day before the date of the conventions.

State Conventions

Section 174.092(a) of the Texas Election Code provides that the biennial state convention must be convened on a date selected by the state executive committee. The state convention date is no longer limited to one in June or +July. Section 174.092(b) of the Texas Election Code continues to provide that the state executive committee must set the date of the state convention not later than the date the state chair delivers to the county chairs the certification of names for placement on the primary election ballot. See [entry](#) at Wednesday, December 19, 2019. Accordingly, this calendar does not show any deadline or time frame for holding the state convention. Notice of the date, hour, and place for convening the state convention must be posted by the state chair on the party's Internet website before the date of the party's precinct conventions under Section 174.093 of the Texas Election Code.

9. Note on Party Electoral Rules

Section 163.006(a) of the Texas Election Code provides that a rule on electoral affairs that is to become effective in a year in which the party will hold precinct conventions must be posted on the party's Internet website, as well as filed with Secretary of State, **not later than the 30th day before the date the party convenes its earliest precinct conventions**. It should be noted that the date of precinct conventions is no longer fixed by statute. (See [Note 8](#) above.) Accordingly, this calendar does not show any deadline for the posting or filing of such electoral rules.

10. Note on Accepting Voters with Certain Disabilities

Section 63.0015 provides that an election officer may accept a person with a mobility problem that substantially impairs a person's ability to ambulate who is offering to vote before accepting others offering to vote at the polling place who arrived **before** the person. "Mobility problem that substantially impairs a person's ability to ambulate" has the meaning assigned by Section 681.001, Transportation Code. A person assisting an individual with a mobility problem may also, at the individual's request, be given voting order priority. Notice of the priority given to persons with a mobility problem that substantially impairs a person's ability to ambulate **shall** be posted:

1. at one or more locations in each polling place where it can be read by persons waiting to vote;
2. on the website of the Secretary of State **and**
3. on each website relating to elections maintained by a county

The notice required **must** read as follows:

"Pursuant to Section 63.0015, Election Code, an election officer may give voting order priority to individuals with a mobility problem that substantially impairs the person's ability to move around. A person assisting an individual with a mobility problem may also, at the individual's request, be given voting order priority. Disabilities and conditions that may qualify you for voting order priority include paralysis, lung disease, the use of portable oxygen, cardiac deficiency, severe limitation in the ability to walk due to arthritic, neurological, or orthopedic condition, wheelchair confinement, arthritis, foot disorder, the inability to walk 200 feet without stopping to rest, or use of a brace, cane, crutch, or other assistive device."

The **recommended** time to include this notice on a county website is when the Notice of Election is also posted on the website. Sec 85.007(d). See [Note](#) regarding Notice of Elections.

11. Note regarding faxed or emailed ABBMs and faxed FPCAs

Section 84.007(b-1) provides that if an ABBM is faxed or emailed or if an FPCA is faxed, then the applicant **must** submit the ORIGINAL application BY MAIL to the early voting clerk so that the early voting clerk **receives the original no later than the 4th business day after receiving the emailed or faxed ABBM or faxed FPCA**. If the early voting clerk does not receive the original ABBM or FPCA by that deadline, then the emailed or faxed ABBM or faxed FPCA will be considered incomplete. An original hardcopy ABBM received after the 4th business day deadline but received by the 11th day before election day would entitle the voter to receive a ballot for the election.

The early voting clerk should retain a copy of the FPCA for their own records, but should send the FPCA submitted by the voter to the Voter Registrar for registration purposes.

If a voter faxes or emails the ABBM or faxes the FPCA, the date the early voting clerk receives the FAX or EMAIL is considered the date of submission. Essentially, the faxed or emailed form serves as a place-holder for the voter.

Therefore, a voter whose application was faxed or emailed by the 11th day before election day (the deadline), and whose original application is received on or before the 4th business day after that date, would still be entitled to receive a ballot for the election (if otherwise eligible). The early voting clerk will have to hold the faxed or emailed ABBM or faxed FPCA until the clerk receives the original, and would only send the voter a ballot if the original is received by the 4th business day after the faxed or emailed ABBM or faxed FPCA was received. See [Tex. Sec'y of State Election Advisory No. 2018-02](#).

NOTE: The requirement to mail the original application does not apply to an **emailed** FPCA.

12. Note on Temporary Branch Polling Places (NEW LAW NOTE)

HB 1888, as enacted by the 86th Legislature (2019), amends Chapter 85 of the Election Code to modify the requirements for temporary branch polling places.

Early voting at any temporary branch polling location **MUST** be conducted on the same weekdays as the main early voting location and **MUST** remain open for eight hours each day it is open. (Sec 85.005 and 85.064)

NOTE for political subdivisions other than cities or counties: For political subdivisions with fewer than 1000 registered voters, who did not contract with the city or county to act as their early voting clerk, the temporary branch locations must be open for at least three hours each day. (Sec 85.005 and 85.064)

For most political subdivisions, this will require your temporary branch locations to be open on every weekday of the early voting period and for at least eight hours on each of those days.

HB 1888 also repeals Section 85.064(a) and (c) and Section 85.065. Those statutes provided different rules for populous counties (population over 100,000) as opposed to less populous counties (population under 100,000). Those distinctions have been removed. **The rules for temporary branch locations are the same for populous and less populous counties under the current version of the law.**

Calendar of events

March

Sunday, March 15, 2020 (2nd Sunday after the primary election day)

Deadline for state executive committee to conduct state canvass for all races with potential runoffs (races with three or more candidates). See [entry](#) under Wednesday, March 25, 2020. State chair must certify these candidates for statewide and district offices for placement on runoff primary election ballot to county chair as soon as practicable after canvass is completed. The certification will be posted to the secretary of state's website. (Secs. 172.120(b)(1) & 172.121).

NOTE: Section 172.121 requires the state chair to certify runoff candidates for state or district offices by posting the candidates and their respective outcomes to the secretary of state's website.

NOTE: Section 172.084(a) requires that the order of candidates on the ballot for the runoff primary election be the same as the order of candidates on the ballot for the general primary election. As thus, a second ballot drawing for ballot order for the runoff primary election is not required.

Wednesday, March 18, 2020 (3rd day after state canvass of races with potential runoffs)

5:00 p.m. — Last day runoff primary candidates may withdraw from ballot. (Sec. 172.059(a)).

Saturday, March 21, 2020 (2nd Saturday after 2nd Tuesday in March)

Minor parties will make nominations at the district convention for multi-county district offices. (Sec. 181.061(b)).

Monday, March 23, 2020 (11th day after local canvass of general primary election)

Deadline for the presiding judge of the early voting ballot board to notify provisional voters whether their ballots were counted and if not, the reason why they were not counted. (Sec. 65.059; 1 T.A.C. §§ 81.176(e)). (The deadline is extended to the next regular business day which is Monday, March 23, 2020 due to the **10th day falling on Sunday, March 22, 2020**. (Sec. 1.006).

Wednesday, March 25, 2020 (22nd day after primary election day)

Deadline for state chair to conduct the state canvass for races with no potential runoff. (Sec. 172.120(b)(2)). See [entry](#) under Sunday, March 15, 2020).

April

Wednesday, April 1, 2020 (20th day after local canvass of primary election)

Deadline for county chair to post notice of the secretary of state's website the names of the persons elected as county chair and precinct chairs for the county. (Sec. 172.118).

NOTE: Section 172.118 does not require the county chair to provide written notice to the state chair and county clerk of new party officers. Instead, the county chair will post this information on the secretary of state's website.

Thursday, April 2, 2020 (30th day after primary election day)

Deadline for county clerk to deliver to Secretary of State precinct returns of primary election for all offices other than party offices, including precinct-by-precinct returns for early voting. The report must include early voting votes cast by mail and early voting votes cast by personal appearance. That delivery to SOS must be made through the electronic system for submission of the report. (Secs. 67.017 & 172.124).

NEW LAW NOTE: HB 2640, as enacted by the 86th Legislature (2019), amended Sections 67.017 and 172.124 to require this report to include all offices other than party offices in the precinct-by-precinct reports under this section. That report must include separate totals for early voting votes by mail and early voting votes by personal appearance.

Saturday, April 18, 2020 (3rd Saturday in April)

State convention for minor party that is nominating candidates for statewide offices. (Sec. 181.061(a)). This date is moved from the second Saturday in April to the third Saturday in April due to the fact that the Sunday after the second Saturday in April is Easter. (Sec. 181.061(a)).

May

Sunday, May 3, 2020 (61st day after primary election day)

First day the general custodian of election records may (1) require a person who has possession of a key that operates the lock on a ballot box containing voted ballots to return the key to the custodian; and (2) unlock the ballot box and transfer the voted ballots to another secure container for the remainder of the preservation period. (Sec. 66.058(b)). **Please note that the custodian is not required by law to do this on Sunday, May 3, 2020; the custodian may choose to transfer the voted ballots to another secure container for the remainder of the preservation period on Monday, May 4, 2020 or a later date**

Thursday, May 14, 2020 (61st day before runoff primary election)

Recommended date for primary committee to approve runoff primary ballot format. (Sec. 172.083).

Recommended date for county chair to order runoff primary election ballots. (Sec. 172.083).

Friday, May 15, 2020 (60th day before runoff primary election)

Deadline for printers/vendors to register with the Secretary of State to print runoff primary ballots. (Sec. 51.013).

Recommended last day to order any additional election supplies necessary for the runoff primary election.

Recommended last day for the county chair of each political party to appoint presiding and alternate judges for each precinct in which the primary election will be held in the county, presiding judges for the early voting ballot board and the central counting station, and personnel for the central counting station, if judges have not been appointed for the primary runoff election. (Secs. 32.006, 32.008, 87.002 & 127.002-127.005). Written notice of the appointments must be given to the judges in accordance with Section 32.009 of the Texas Election Code.

Recommended last day for the county election officer to appoint presiding and alternate judges from the lists provided by each county chair and to appoint the election clerks in a **joint primary** election. (Sec. 172.126(c)). Written notice of the appointments must be given to the judges in accordance with Section 32.009 of the Texas Election Code.

NOTE: General eligibility requirements for election judges and clerks are found in Subchapter C, Chapter 32 of the Texas Election Code. General eligibility requirements for central counting station personnel are found in Sections 127.002-127.005 of the Texas Election Code. The presiding judge appoints the clerks, but not more than the maximum set by the political party, consistent with Secretary of State's primary finance rules; however, the alternate judge must serve as one of the clerks. (Secs. 32.032 & 32.033).

Recommended date to order the lists of registered voters from the county voter registrar. (Sec. 18.006).

Tuesday, May 26, 2020 (77th day after precinct conventions; 51st day before runoff primary election day)

Deadline for minor party chairs to submit petitions and precinct convention lists to Secretary of State and to the appropriate county clerk (or other county election official) for placement on the ballot. (Secs. 181.005(a), 181.006(b)(3), 182.003, 182.004). (The deadline is extended to the next regular business day which is Tuesday, May 26, 2020 due to the 75th day after the precinct conventions falling on Sunday, May 24, 2020, and the next day being Memorial Day, Monday, May 25, 2020.) (Sec. 1.006).

Recommended deadline for county chair of party holding a runoff primary election to procure from voter registrar a set of precinct lists of registered voters (also supplemental lists and correction lists, if necessary) to deliver to county election officer for use in conducting early voting by mail and in person in the party's runoff primary. (Secs. 18.001(d) & 18.002-18.004).

Saturday, May 30, 2020 (45th day before runoff primary election day)

Deadline for early voting clerk to mail ballots to military and overseas voters. If the clerk cannot meet this 45th-day deadline, the clerk must notify Secretary of State within 24 hours. If a federal postcard application ("FPCA") is received after the 45th-day deadline, the ballot should be mailed not later than the **7th calendar day** after the date the FPCA is received.

NOTE: The 45th-day deadline under Section 86.004(b) is not extended by Section 1.006 to the next business day. The ballots covered by Section 86.004(b) should be sent out on or before Saturday, May 30, 2020.

Reminder: In regards to mail ballots for other voters (not military or overseas), the early voting clerk must mail a ballot not later than the 7th day after the later of: (1) the date the early voting clerk has accepted a voter's application for a ballot by mail or (2) the date the ballots become available for mailing. However, if the 7th day falls earlier than the 37th day before runoff primary election day, the voter's mail ballot must be mailed no later than the 30th day before runoff primary election day. (Sec. 86.004(a)).

June

Friday, June 12, 2020 (32nd day before runoff primary election day and 12th day before first day signature verification committee may convene)

Recommended date for early voting clerk to issue order calling for appointment of signature verification committee for the runoff primary election, if the early voting clerk determines that a committee is to be appointed. (Sec. 87.027).

If the signature verification committee will start meeting on Wednesday, June 24, 2020, **recommended date** early voting clerk should post copy of the order calling for appointment of the signature verification committee. (Saturday, June 13, and Sunday, June 14, 2020 are the 10th and 11th days before the first day the committee may meet.) The notice must remain posted

continuously for at least 10 days before the first day the committee meets. The notice must be posted on the county's website if the county maintains a website. If the county does not maintain a website, the notice must be posted on the commissioners court bulletin board. (Sec. 87.027).

Monday, June 15, 2020 (29th day before runoff primary election day)

Last day to register to vote or make a change of address effective for the Tuesday, July 14, 2020 primary runoff election. (Secs. 13.143, 15.025).

NOTE: A Federal Postcard Application (FPCA) also serves as an application for permanent registration under Texas law **unless the voter marked “outside the U.S. indefinitely” (2005) form or “do not intend to return” (2011 form)**. The early voting clerk should make a copy (for mailing ballots, keeping records, etc.), then should forward the original to the county voter registrar, as soon as practicable, but no later than within 5 days. (Sec. 101.055, 1 Tex. Admin. Code Sec. 81.40(a), (c)(2)).

Wednesday, June 17, 2020 (5th day after recommended date to order signature verification committee)

If the early voting clerk issues order calling for appointment of signature verification committee on the recommended date for issuing that order (Friday, June 12, 2020), this is the deadline for the county chair to appoint the members to the committee. See [entry](#) under Friday, June 12, 2020. (Sec. 87.027).

Tuesday, June 23, 2020 (21st day before runoff primary election day)

Last day for county clerk to post notice of the runoff primary election on the county's website. The notice must also be posted on the county's website if the county maintains a website. If the county does not maintain a website, the notice must be posted on the commissioners court bulletin board. (Secs. 4.003 & 172.1112).

NOTE: Section 172.1112 requires that the county clerk, rather than the county chair, post the notice of election for the primary election.

NEW LAW NOTE: HB 2640, as enacted by the 86th Legislature (2019), amended 172.1112 to require the county to post the notice of election and notice of consolidated precincts on the county's website if the county maintains a website. Under the prior version of the law, the notice was required to be posted on the party's website.

Wednesday, June 24, 2020 (20th day before runoff primary election day)

Deadline for a person who is not permanently registered to vote to submit a postmarked FPCA, in order to receive a ballot for any non-federal election held on May 2, 2020. A person submitting who is not permanently registered to vote and submits a postmarked FPCA after this date and before election day is not entitled to receive a ballot for any non-federal election. See [entry](#) below for FPCA without postmark at the 15th day before runoff primary election day, Monday, June 29, 2020. (Sec. 101.052(e), (i)).

NOTE: Be sure to check the list of registered voters for **permanent registration** status. Also, state law authorizes an FPCA to also serve as an application for permanent registration; therefore, the person might be permanently-registered based on a prior-FPCA. Even if the FPCA arrives too late for a particular election, the early voting clerk will still need to forward the original FPCA to the county voter registrar, after making a copy for your early voting clerk's use (mailing ballots, etc.) and records unless the voter marked **“my return is not certain” (2013 form), or “my return is uncertain” (2017 form)** in which case, it will not serve as a permanent registration. (Sec. 101.055; 1 Tex. Admin. Code Sec. 81.40).

NOTE: Overseas (non-military) voters marking the FPCA “do not intend to return” (2011 form) or “my return is not certain” (2017 form) receive a federal ballot only regardless of the date filed. (Chapter 114). If there is no federal office on the ballot, this means there is **no ballot to send the voter**.

First day that the signature verification committee, if one is appointed, may begin operating. (Sec. 87.027).

Friday, June 26, 2020 (18th day before runoff primary election day)

If a defective application to vote early by mail is received on or before this date, the early voting clerk must mail the applicant a new application form with explanation of defects, a statement that the voter is not entitled to vote early by mail unless he or she submits a sufficient application by the deadline, and instructions for submitting the new application. For defective

applications received after this date and before the end of early voting by personal appearance, the early voting clerk must mail only the notice of defect and a statement that the voter is not entitled to vote early by mail unless he or she submits a sufficient application by the deadline. (Sec. 86.008).

Monday, June 29, 2020 (15th day before runoff primary election day)

Deadline to receive an FPCA **without** a postmark. If an FPCA is received by this date without a postmark to prove mailing date, the early voting clerk will accept the FPCA and mail the applicant a full ballot even if the applicant is not a permanently registered voter but meets the requirements under Title 2 of the Election Code (unless the voter marks the FPCA form indicating **the “my intent to return is uncertain”** ([2019 form \(PDF\)](#)), or **“my return is uncertain”** ([2017 form \(PDF\)](#)), in which case the voter receives a federal-only ballot). (Sec. 101.052(i)). See Note under [entry](#) for Wednesday, June 24, 2020.

Deadline to notify election judges of duty to hold election (Writ of Election). Written notice must be given to the presiding judge of the duty to hold the election, purpose of election, the election date, location of the polling place, hours the polls are open, and the maximum number of clerks that may be appointed. (Sec. 4.007).

Tuesday, June 30, 2020 (14th day before runoff primary election day)

Last day to publish notice of L&A test if test is to be conducted on Thursday, July 2, 2020, because notice must be published 48 hours before test begins. The notice must be posted on the county's website if the county maintains a website. If the county does not maintain a website, the notice must be posted on the commissioners court bulletin board. Additionally, for a primary election, the custodian must notify the county chair of the test 48 hours prior to the test. The county chair must confirm receipt of the notice. (Sec. 129.023).

July

Wednesday, July 1, 2020 (day before the last day to apply for a ballot by mail; 13th day before runoff primary election day)

A voter who becomes sick or disabled on or after this date may vote a late ballot if the sickness or disability prevents the voter from appearing at the polling place without the likelihood of needing personal assistance or of injuring his or her health. (Sec. 102.001).

First day to submit an application for and vote a late ballot because of sickness or disability that arose on or after this date. May submit application through 5:00 p.m. on runoff primary election day, July 14, 2020. (Secs. 102.001 & 102.003).

Thursday, July 2, 2020 (12th day before runoff primary election day; last business day before the 11th day before runoff primary election day; last business day 48 hours before start of early voting in person)

Last day for early voting clerk to receive applications for a ballot to be voted by mail. (Sec. 84.007(c)). All applications to vote by mail must be received by the early voting clerk before the close of regular business or 12 noon, **whichever is later**. Applications to vote by mail must be submitted by mail, common or contract carrier, fax (if a fax machine is available in the office of the early voting clerk) or e-mail. The early voting clerk will need to designate an e-mail address for the receipt of applications for ballot by mail. (Sec. 84.007(c)). (This deadline is moved **backward to the preceding business day** from the 11th day before runoff primary election day, Friday, July 3, 2020, because Friday, July 3, 2020 is the observed date for the July 4, 2020 national holiday. (Sec. 84.007(c)).)

NOTE: If an ABBM is faxed or emailed or if an FPCA is faxed, then the applicant must submit the ORIGINAL application BY MAIL to the early voting clerk so that the early voting clerk **receives the original no later than the 4th business day after receiving the emailed or faxed ABBM or faxed FPCA**. If the early voting clerk does not receive the original ABBM or FPCA by that deadline, then the emailed or faxed ABBM or faxed FPCA will be considered incomplete, and the early voting clerk may NOT send the applicant a ballot. The requirement to mail the original application does not apply to an **emailed** FPCA. For additional information, please see [Note 11](#), above.

Last day to receive an [FPCA \(PDF\)](#) from a registered voter. If the voter is **not** registered in the county (and/or marked intent to return “not certain”), **the voter is still eligible for a ballot containing federal offices only**. If there are no federal offices on the ballot, then this means there is **no ballot** to send the voter. (Secs. 101.052(b), (f); 114.004(c)).

First day in counties with a population of 100,000 or more that early voting ballot boards may be convened and have delivered to them by mail ballots to begin processing and qualifying mail ballots; however, the mail ballots may not be counted until the end of the period for early voting in person and results may not be released until the polls close on election day. (Secs. 87.0221, 87.0222, 87.023, 87.024, 87.0241 & 87.042). The early voting clerk shall continuously post notice for 24 hours preceding each delivery of voting materials that is to be made before the time for opening the polls on election day. (Sec. 87.0222).

Last day to conduct public L&A test of a voting system that uses DRE voting machines (or an electronic voting system which is subject to L&A testing under advisories issued by Secretary of State) used in early voting. We highly recommend that this test be done on an earlier date to allow time for corrections to programming, if necessary. (See [Note 6](#) prior to Calendar of Events.) The test shall be conducted not later than 48 hours before voting begins on such voting systems, assuming that the voting system will first be used for early voting in person. (Sec. 129.023).

Monday, July 6, 2020 — Friday, July 10, 2020 (8th — 4th day before runoff primary election day)

In counties with a population of 100,000 or more, the early voting clerk must keep the main polling place open for 12 hours each day during early voting for the runoff primary election. Early voting must be conducted at permanent branch locations for 12 hours each day. Early voting must be conducted for 12 hours on each **weekday** of the last week at required **temporary branch locations** (created under Section 85.062(d) of the Texas Election Code) if a written request signed by 15 registered voters was filed by Wednesday, July 1, 2020. Please note there is a 5-day notice posting requirement if the early voting clerk received petition requesting these extended hours. (Secs. 85.005(c), 85.063, 85.064 & 85.067).

In counties with a population of less than 100,000, the early voting clerk must keep the main polling place open for 12 hours each day for the primary election if 15 or more registered voters petition the county for the extended 12-hour schedule. (Secs. 85.005(c) & 85.067).

Monday, July 6, 2020 (8th day before runoff primary election day)

First day to vote early in person. (Sec. 85.001).

NOTE: The early voting period for the runoff primary election begins 10 days prior to election day, but because this day falls on a weekend (Saturday, July 4, 2020), it is extended to the next regular business day, Monday, July 6, 2020. (Sec. 85.001(b), (c)).

NOTE: About branch early voting in a primary election. The commissioners court:

1. in a county with a population of 400,000 or more, **must** establish one or more temporary polling places, other than the main early voting polling place, in each state representative district containing territory covered by the election.
2. in a county with a population of 120,000 or more but less than 400,000, must establish one or more temporary polling places, other than the main early voting polling place, in each commissioners precinct containing territory covered by the election.
3. in a county with a population of 100,000 or more but less than 120,000, **must** establish one or more early voting polling places in each commissioners precinct for which the commissioners court receives a **timely filed written request by at least 15 registered voters of that precinct**.

The temporary polling place(s) must remain open for each weekday of the early voting period that the main early voting polling place will be open. The temporary branch polling place(s) must be open at least eight hours each day. (Secs. 85.062; 85.064).

NOTE: A temporary branch polling place that is "movable" may be established only with the approval of the county clerk. If a movable temporary branch polling place is established on the request of a political party, each political party, whose nominee for governor in the most recent gubernatorial general election received more than 10 percent of the total number of votes received by all candidates for governor in the 2018 election, is entitled to the establishment of such a polling place. The election officers serving a polling place covered by this subsection must be appointed from the list submitted by the county chairs to the early voting clerk. (Sec. 85.062(e)).

If early voting by personal appearance is required to be conducted for extended hours, the county voter registrar's office is required to remain open for providing voter registration information during the extended hours that the main early voting polling place is open for voting. (Secs. 12.004(d), 85.005(c) & 85.006(e)).