

Handbook for Early Voting Clerk

Appointing Election Workers



Issued by the

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INTRODUCTION

This “Handbook on Appointing Election Workers” has been designed to familiarize county and local officials with their basic responsibilities in regards to appointing workers and the laws around serving as an election worker. This handbook is not meant as a guide for an election worker to execute their duties. Those guidelines can be found in the [Handbook for Election Judges and Clerks: Qualifying Voters on Election Day](#), the [Handbook for Early Voting Ballot Board](#), and the [Handbook for Signature Verification Committee](#). Please note that this guide may discuss optional entities that your political subdivision does not use, such as a Signature Verification Committee or a Central Counting Station.

Throughout this guide, all code references are made to sections in the Texas Election Code or the Texas Administrative Code, unless otherwise noted.

TYPES OF ELECTION WORKERS AND OFFICIALS, THEIR DUTIES, AND QUALIFICATIONS

EARLY VOTING

Early Voting Clerk

The early voting clerk is responsible for the overall conduct of early voting. The early voting clerk is also generally responsible for the conduct of early voting at the main early voting location, and has the same powers as a presiding judge of a polling place on election day. The early voting clerk is also required to maintain their office on election day while polls are open to conduct early voting activities. [Sec. 83.011]

County Clerk/Elections Administrator as Early Voting Clerk - For the general election for state and county officers, a primary election, or a special election ordered by the Governor, the early voting clerk will be the county clerk or elections administrator (EA) if one is appointed under Chapter 31. The early voting clerk must meet any eligibility requirements applicable to those positions as provided by state law. For eligibility requirements of a county clerk, see our [Candidate’s Guide](#). [Secs. 83.001, 83.002, 85.002]

Election Ordered by County Authority – For an election ordered by a county authority, but not held at county expense, the authority ordering the election may appoint the early voting clerk. The county clerk or EA may be appointed. However, if the county clerk or EA is not appointed, the person appointed must meet the eligibility requirements of a presiding judge, except that they must be a qualified voter of the county and not a particular election precinct. [Sec. 83.004]

City Secretary – For an election ordered by the authority of a city, the city secretary is the early voting clerk, and must meet any applicable requirements under state law or city charter. [Sec. 83.005]

Other Political Subdivisions – The authority ordering the election shall appoint the early voting clerk. To be appointed, the person must meet the requirements for eligibility of a presiding judge, except that the person must be a qualified voter of the political subdivision. However, if the appointee is a permanent employee of the political subdivision, then the appointee is only required to be a qualified voter of any territory. If an officer of the appointing authority for the political subdivision is a candidate, the appointee’s status as an

employee of the candidate does not make the person ineligible for appointment as the early voting clerk. [Sec. 83.006]

Other Elections – For an election in which the Election Code does not provide for an early voting clerk, the authority ordering the election shall appoint the early voting clerk. The person must meet the requirements for a presiding judge and must be a qualified voter of the territory covered by the election, except that an appointee who is a permanent employee of the political subdivision is only required to be a qualified voter of any territory and is not required to be a qualified voter of the territory covered by the election. [Sec. 83.007]

Deputy Early Voting Clerk

Deputy early voting clerks are appointed to assist the early voting clerk in the overall conduct of early voting. The deputy early voting clerk is responsible for performing various duties as assigned by the early voting clerk. They have the same authority as the early voting clerk, subject to the clerk’s supervision. [Sec. 83.031].

Each temporary branch early voting location will generally have a lead deputy early voting clerk who is responsible for the overall conduct of early voting at that specific location. The lead deputy early voting clerk will generally handle the assignment of duties of other deputy early voting clerks at that specific location, subject to the overall authority of the early voting clerk. [Sec. 83.031]

Deputies for County Clerk/EA or City Secretary - If the early voting clerk is the county clerk/EA or city secretary by law, they may by written order appoint permanent deputies as deputy early voting clerks. In addition to permanent deputy early voting clerks, the county clerk/EA or city secretary may appoint temporary early voting clerks who meet the eligibility requirements for a presiding judge. A deputy early voting clerk must be a qualified voter of the city, if appointed by the city secretary; or the county, if appointed by the county clerk/EA. Unless the deputy early voting clerk is a permanent employee, then they only need to be a qualified voter of any territory and are not required to be a qualified voter of the county or city, as applicable. If the appointing early voting clerk is a candidate, the appointee’s status as an employee does not make them ineligible for appointment. [Sec. 83.032]

Deputies for Other Early Voting Clerks – In an election in which a person other than a county clerk or city secretary is the early voting clerk, the authority appointing the clerk, by written order, may appoint one or more deputy early voting clerks. A deputy early voting clerk for any other election must meet eligibility requirements for a presiding judge, except that the appointee must be a qualified voter of the territory covered by the election. However, if the appointee is a permanent employee of the authority holding the election, the appointee must be a qualified voter of any territory. [Secs. 83.033, 83.007(b)]

NOTE: Any person working in any capacity during early voting is some form of an early voting clerk, whether they are temporary or permanent. The terms “election judge” and “election clerk” are terms that are specific to positions held on election day only.

Student Early Voting Clerks

The early voting clerk may appoint student early voting clerks as necessary to assist the early voting clerk. A student early voting clerk must meet the same eligibility requirements as a student election clerk. [Sec. 83.012]

ELECTION DAY

Presiding Judge and Alternate Presiding Judge

The presiding judge of an election day polling place is responsible for the overall conduct of that polling place. The presiding judge is responsible for the setup of the polling place, assigning duties to election clerks, maintaining order in the polling place, and delivering records, ballot boxes, and voting system equipment from the polling place after the polls have closed. [Secs. 32.072, 32.075, 62.001, 66.051]

A presiding judge must preserve order and prevent breaches of the peace and violations of the Election Code within the polling place and within the 100-foot zone. A presiding judge may appoint one or more persons to act as special peace officers for a polling place. A presiding judge has the power of a district court judge, including the power to issue arrest warrants. [Sec. 32.075(c)]

In addition to a presiding judge, the county will also appoint an alternate presiding judge, who will serve as the presiding judge in the event that the presiding judge is unable to serve. When the presiding judge is able to serve, the alternate presiding judge will serve as one of the election day clerks for that polling place. [Secs. 32.001, 32.032]

An election judge must be a qualified voter of the election precinct they are working. If the appointing authority is unable to locate an eligible qualified voter of the precinct, who is willing to accept an appointment, a person who meets the qualifications for an election clerk (qualified voter of the political subdivision) may be used. The commissioners court may also prescribe additional eligibility requirements for term-appointed election judges by written order. [Sec. 32.051]

Election Clerks

Election clerks are appointed by the election judges to assist them in the overall conduct of the polling place. The duties of the election clerks are assigned by the presiding judge of the polling place and typically involve setting up the polling place, checking in voters at the polling place, and completing various other necessary duties at the polling place. [Secs. 32.031, 32.072]

An election clerk must be a qualified voter of:

1. The county, in a countywide election ordered by the governor or a county authority or in a primary election;
2. The part of the county in which the election is held, for an election ordered by the governor or a county authority that does not cover the entire county of the person's residence; or
3. The political subdivision, in an election ordered by the authority of a political subdivision other than a county. [Sec. 32.051]

Ineligibility

A person is ineligible to serve as an election judge or clerk if:

1. **The person holds an elective public office.** [Sec. 32.052] A deputy or assistant serving under a public officer is not considered a public officer, and would be eligible to serve. Additionally, a party office is not a public office. Therefore, a person who holds a party

office (like precinct chair or county chair) can serve, unless they are ineligible as a candidate. However, we recommend against a county chair serving as an election judge because it would conflict with the common law principle against self-appointment.

2. **The person is an opposed candidate.** [Sec. 32.053] A person who is a candidate in an election for a contested public or party office is ineligible to serve, in an election held on the same day in a precinct where the candidate's name appears on the ballot. This eligibility requirement does not apply to a county clerk or a precinct chair who has been declared elected.
3. **The person is an employee of an opposed candidate.** [Sec. 32.054] A person who is employed by an opposed candidate for a public or party office is ineligible to serve in any precinct in which the office appears on the ballot. A candidate is not considered opposed by a write-in candidate, unless they are a declared write-in candidate under Chapter 146. This section does not prevent an employee's relatives from serving as a judge or clerk.

For purposes of Section 32.054, a person is considered an employee, and therefore may not serve as an election judge or clerk, if:

- a. The candidate is an owner or officer of a business where the person is employed;
 - b. The candidate is an officer of a governmental department or agency where the person is employed; or
 - c. The candidate has a supervisory role over the employee, in either public or private employment.
4. **The person is a relative of an opposed candidate.** [Sec. 32.054] A person who is related within the second degree by consanguinity (blood) or affinity (marriage) to an opposed candidate for a public or party office is ineligible to serve in any precinct in which the office appears on the ballot. Additionally, a clerk cannot be a relative of an elected official of the authority that appoints the judges (i.e., commissioners court). However, an election clerk can be a relative of the presiding judge. [Gov't Code Sec. 573.061(8)]
 5. **The person is the campaign treasurer.** [Sec. 32.055] A person who is the campaign treasurer of a candidate in that election is ineligible to serve.
 6. **The person is the campaign manager.** [Sec. 32.0551] A person who is the campaign manager of a candidate in that election is ineligible to serve. A campaign manager is a person who directs, with or without compensation, the day-to-day operations of a candidate's election campaign; or each person who directs, with or without compensation, a substantial portion of the day-to-day operations of a candidate's election campaign, if no single person performs that function.
 7. **The person has been finally convicted of an election offense.** [Sec. 32.0552]
 8. **Home-Rule Cities.** [Sec. 32.056] City charters may prescribe additional eligibility requirements or grounds for ineligibility for election officers serving in elections ordered by an authority of the city.

Student Election Clerks

A student who is at least 16 years of age and who is enrolled in a public or private high school or home school and has the consent of the principal (or parent/legal guardian in charge of education

in home school) may serve as an election clerk. The elections officials must receive written authorization from the student's parent or guardian for the student to serve in the election for which he or she is appointed. [Sec. 32.0511]

EARLY VOTING BALLOT BOARD AND SIGNATURE VERIFICATION COMMITTEE

The early voting ballot board (EVBB) serves as the authority that processes early voting ballots and provisional ballots. The EVBB must determine whether to accept a voted ballot by mail. The EVBB shall only accept a voted ballot by mail if it meets several specified requirements, including that the personal identification information provided by the voter on the carrier envelope identifies the same voter identified on the voter's voter registration record. Additionally, in reviewing ballots by mail, the EVBB has the authority to notify a voter of their ability to correct a defect in their carrier envelope. [Secs. 87.041, 87.0411]

A signature verification committee (SVC) is optional and may be appointed in any election. The SVC is responsible for comparing the signature on the application for ballot by mail with the signature on the carrier envelope to determine if they were signed by the same person, except carrier envelopes signed by a witness. The signature verification committee may also use the voter's registration application for signature comparison. In addition, the SVC must determine that the personal identification information provided by the voter on the carrier envelope identifies the same voter identified on the voter's voter registration record. Similar to the EVBB, the SVC has the authority to notify a voter of their ability to correct a defect in their carrier envelope. [Secs. 87.027, 87.0271]

Presiding Judge and Alternate Presiding Judge of Ballot Board

The early voting ballot board is tasked with processing the early voting results from the territory served by the early voting clerk. The presiding judge of the EVBB is the presiding officer of the board, and is responsible for the general conduct of the board. The presiding judge will participate in the EVBB's activities, including the determination of whether a ballot by mail may be accepted for counting. [Secs. 87.001, 87.002, 87.041]

The presiding judge's responsibilities include appointing ballot board members for elections other than the November general election for state and county officers, setting the time for materials to be delivered to the EVBB, giving notice to voters of rejected ballots, and resolving questions of voter intent for irregularly marked ballots in situations where the EVBB is responsible for counting ballots. [Secs. 87.002, 87.022, 87.041, 87.0431, 87.062]

An alternate presiding judge is also appointed for the EVBB, and serves as a member of the early voting ballot board. [Sec. 87.002]

The presiding and alternate judge of the early voting ballot board must meet the eligibility requirements for an election judge, except that they must be qualified voters of the territory served by the early voting clerk, not a specific precinct. [Sec. 87.003]

Ballot Board Member

The members of the early voting ballot board participate in the general activities of the EVBB, which involve the determination of whether a ballot by mail may be accepted for counting and the review of provisional ballots. The EVBB may also be responsible for the counting of early voting and provisional ballots, depending on the manner in which the ballots are counted by a particular county. [Secs. 87.002, 87.041, 87.062]

Early voting ballot board members must meet the eligibility requirements for an election judge, except that they must be qualified voters of the territory served by the early voting clerk, not a specific precinct. [Sec. 87.003]

Signature Verification Committee – Chair, Vice-Chair, and Member

The early voting clerk is the authority responsible for determining whether an SVC is to be appointed. If an SVC is created for a specific election, then the members of the SVC are responsible for conducting the signature comparison component of the ballot by mail review process. After the committee has completed its work, it delivers the materials to the early voting ballot board. A voter's ballot may be rejected by the SVC only if the SVC determines that the personal identification information does not match the information contained in the voter's voter registration record or that the signature on the carrier envelope was made by a person other than the voter. [Sec. 87.027]

A chair must be appointed to serve as the presiding officer of the SVC. A vice-chair will also be appointed for the SVC. [Sec. 87.027]

To be eligible to serve on an SVC, a person must meet the eligibility requirements for an election judge and must be a qualified voter of:

1. The county, in a countywide election ordered by the governor or a county authority or in a primary election;
2. The part of the county in which the election is held, for an election ordered by the governor or a county authority that does not cover the entire county of the person's residence; or
3. The political subdivision, in an election ordered by the authority of a political subdivision other than a county.

CENTRAL COUNTING STATION

Many of the positions in the central counting station (CCS) have the same eligibility requirements as an election judge or clerk. However, there are several specific exceptions for the individual positions, and generally an employee of the political subdivision is eligible to serve in most positions in the CCS, even if they are employed by a public officer who is also a candidate in that election. In addition, many of the positions at the CCS require some level of knowledge relating to the operation of the voting system equipment that will be used in the CCS.

Manager

If a central counting station is established for an election, then a manager must be appointed. The manager is responsible for the overall administration of the CCS and the general supervision of the personnel at the CCS. The manager will typically be an employee of the political subdivision, such as the county election officer. [Sec. 127.002]

The manager's responsibilities include the general administration and supervision of the CCS, the establishment of a plan for the CCS, the appointment of clerks for the CCS, and the assignment of duties to the clerks who were appointed by the manager. [Secs. 127.002, 127.006, 127.007]

To be eligible for appointment, a person must have knowledge and experience with elections using the adopted voting system and must be a registered voter of the political subdivision served by the authority establishing central count, unless the person is an employee of the political

subdivision that adopts or owns the voting system or during the first year following the adoption of the voting system. The general custodian of election records is eligible for appointment regardless of their status as a candidate or officeholder. [Sec. 127.002]

Tabulation Supervisor

The tabulation supervisor is responsible for the operation of the automatic tabulating equipment at the CCS. The tabulation supervisor must be trained in the operation of the tabulating equipment and may be an employee of the political subdivision. [Sec. 127.003]

To be eligible for appointment, a person must meet the eligibility requirements for a presiding judge, except that an employee of the political subdivision that adopts or owns the voting system is not required to be a registered voter of the political subdivision. [Sec. 127.003]

Assistant Tabulation Supervisor

The tabulation supervisor may appoint one or more assistants to aid the supervisor in operating the automatic tabulating equipment. The assistant tabulation supervisors must have sufficient training, knowledge, and experience with the equipment to assist the tabulation supervisor in the operation of that equipment and to perform any other duties that are assigned by the tabulation supervisor. An employee of the political subdivision may serve as an assistant to the tabulation supervisor. In a county with a population less than 60,000, an assistant tabulation supervisor must be a registered voter of the political subdivision served by the authority establishing the counting station or an employee of the political subdivision that adopts or owns the voting system. [Sec. 127.004]

Presiding Judge and Alternate Presiding Judge

The presiding judge's primary responsibilities in the CCS are to maintain order at the CCS and to resolve voter intent issues for irregularly marked ballots that are counted at the CCS. The presiding judge is also responsible for appointing clerks, and for assigning duties to those clerks who were appointed by the judge. [Secs. 127.005, 127.006]

While the manager is responsible for the overall supervision of the CCS and the tabulation supervisor is responsible for the operation of the automatic tabulating equipment at the CCS, the presiding judge may confer with and advise the tabulation supervisor and manager on any activity occurring at the CCS. [Secs. 127.002, 127.005]

In an election in which the election judges are appointed through the list procedure, an alternate presiding judge must also be appointed for the central counting station. If the presiding judge is unable to serve, then the alternate presiding judge will serve as the presiding judge. Otherwise, the alternate presiding judge will serve in one of the other roles at the CCS. [Sec. 127.005]

In order to be appointed as a presiding judge or alternate presiding judge at the central counting station, a person must meet the eligibility requirements of a presiding judge, except that the person must be a qualified voter of the political subdivision served by the authority adopting the voting system. An employee of the political subdivision may serve as a judge. The general custodian of election records is eligible for appointment regardless of their status as a candidate or officeholder. [Sec. 127.005(b)]

Central Count Clerk

The manager, the presiding judge, and the alternate presiding judge have the ability to appoint clerks for the CCS to assist those officers in the performance of their duties. [Sec. 127.006]

A clerk who is appointed by the manager serves under the manager and will have their duties assigned by the manager. A clerk who is appointed by the presiding judge or the alternate presiding judge serves under the presiding judge and will have their duties assigned by the presiding judge. [Sec. 127.006]

In order to be appointed as a clerk at the central counting station, a person must meet the eligibility requirements of a clerk, except that a person must be a qualified voter of the county in which the central counting station is located. However, the general custodian of election records, an employee of the custodian, or any other employee of a political subdivision are not ineligible because the person is a qualified voter of a county other than the county in which the central counting station is located. An employee of the political subdivision may serve as a clerk. The general custodian of election records or an employee of the general custodian is eligible for appointment regardless of their status as a candidate, officeholder, or employee of a candidate. [Sec. 127.006(b)]

DUAL ROLES AND CONFLICTS

For information on whether a person can hold dual roles as an election worker, please see the charts in Appendix E.

NUMBER OF ELECTION PERSONNEL REQUIRED

EARLY VOTING

Early Voting Clerk

Typically, only one early voting clerk shall be appointed for each election. [Sec. 83.001]

Entities in More than One County – If the political subdivision contracts or conducts an election jointly with more than one county, then an early voting clerk must be appointed for each joint election agreement in which the entities have agreed to run early voting together. The regular early voting clerk must continue to maintain office hours and accept applications for ballot by mail. [Sec. 31.096]

Election on the creation, organization, functioning, or existence of one or more political subdivisions that affects more than one political subdivision – More than one early voting clerk may be appointed. [Sec. 83.008]

Deputy Early Voting Clerk

The early voting clerk may appoint one or more deputies as required to conduct early voting in an election. Remember, there must be at least two clerks per polling location. However, our office recommends two in the event one person is not able to serve.

Bilingual Deputy Early Voting Clerks

State law requires the presiding judge of an election precinct to make reasonable efforts to appoint a sufficient number of election clerks who are trained and fluent in both English and Spanish, and any other required minority languages, to serve the needs of the Spanish-speaking voters of the precinct, if five percent (5%) or more of the inhabitants are persons of Spanish origin or descent. Our office strongly recommends having **at least one** bilingual clerk to serve at each early voting polling place. If you cannot find enough bilingual clerks, you must provide one bilingual worker at the main early voting polling place to provide translation and assistance. [Sec. 272.009]

ELECTION DAY

Election Judges and Clerks

There must be a **minimum of three persons** at each election day precinct. A presiding judge and an alternate presiding judge must be appointed to serve in each election precinct. [Sec. 32.001(a)] Also, a minimum of two clerks shall be appointed by the presiding judge to serve in each election precinct. [Sec. 32.003(b)] The presiding judge shall appoint the alternate judge as one of the clerks. [Sec. 32.032]

NOTE: A home-rule city charter may provide fewer than three election officers for an election precinct.

The authority appointing election judges should prescribe the maximum number of clerks who an election judge may appoint for an election. [Sec. 32.033]

Joint primary election – the maximum number of election clerks who may be appointed for a polling place in a joint primary is set by the Secretary of State’s Office. [Sec. 172.126(c); 1 Tex. Admin. Code § 81.149]

Bilingual Election Day Clerks

If five percent or more of the inhabitants of a precinct speak another language, state and federal law requires that the presiding election judge of any precinct make reasonable efforts to appoint a sufficient number of election clerks who are fluent in that language at that precinct (or any other requisite languages). If a number of bilingual election clerks appointed to serve in an election is insufficient to serve that election, at least one bilingual clerk must be appointed to serve at a central location. For a primary election, both major party chairs must each appoint at least one bilingual election clerk. [Sec. 272.009]

OTHER ELECTION WORKERS

Early Voting Ballot Board

The early voting ballot board for an election must consist of **at least three persons**: a presiding judge, an alternate presiding judge, and at least one other member. [Sec. 87.002(a)]

General Election for State and County Officers - The total number of individuals who will be appointed to the EVBB is set by the county election board, but the EVBB must have a **minimum of four people** (i.e., a presiding judge, an alternate presiding judge, and at least two members). The same number of members must be appointed from each party’s list. [Sec. 87.002]

Signature Verification Committee

If a signature verification committee is established, there must be a minimum of five members (including the chair and vice-chair), but there is not a maximum required number of persons. [Sec. 87.027(d)]

Central Counting Station Personnel

There is a **minimum of three** different persons (four, for elections subject to the Section 32.002 list procedure) who must be appointed to serve at a central counting station: the central counting station manager, tabulation supervisor, and presiding judge (and alternate presiding judge for an election in which election judges are appointed under the Section 32.002 list procedure). [Sec. 127.005]

APPOINTMENT OF ELECTION WORKERS

The appointment process for election workers will generally vary depending on the position being appointed and depending on the type of election that is being held. For example, for the general election for state and county officers (in November of an even-numbered year), many election worker positions are filled through the list procedure process, where those positions are appointed from lists submitted by the county chairs for each political party. Other types of elections involve slightly different appointment procedures for different positions.

Term Appointment

In June or July, the county chairs of the political parties whose candidate for governor received the highest and second highest number of votes in the preceding gubernatorial election must submit a list to the commissioners court naming persons, in order of preference, who are eligible for appointment to various election positions. The commissioners court will then appoint election precinct judges, ballot board, and central counting station judges in July or August, as appropriate. In counties with a population of more than 500,000, the terms of the judges start on August 1st. In counties with a population of 500,000 or less, the terms of the judges start on September 1st. [Sec. 32.002(b)] Section 32.002 of the Code allows the commissioners court to provide for appointment terms of either one-year or two-years for election judges (regardless of the typical length of appointment).

GENERAL ELECTION FOR STATE AND COUNTY OFFICERS (NOVEMBER EVEN-NUMBERED YEAR)

Early Voting

The county election officer is the early voting clerk for county elections, including the general election for state and county officers. In the general election for state and county officers, the deputy early voting clerks¹ are appointed through the list procedure. [Secs. 83.002, 85.009]

¹ Section 85.009 uses the terms “presiding judge” and “alternate presiding judge.” However, since the early voting clerk is in charge of early voting, the positions referred to in Section 85.009 are essentially serving as a “lead deputy early voting clerk.” The lead deputy early voting clerk would still assist the early voting clerk in the overall conduct of early voting. The lead deputy early voting clerk would be responsible for performing various duties as assigned by the early voting clerk.

The county chair of each political party that holds a primary election in the county must submit a list to the county election officer containing names of individuals who will serve as deputy early voting clerks for each early voting location in the county. The county election officer will appoint a lead deputy early voting clerk for each early voting location from the list submitted by the county chair of the political party whose candidate for governor received the most votes in the county in the most recent gubernatorial election. The county election officer will also appoint an alternate lead deputy early voting clerk for each early voting location from the list submitted by the county chair of the political party whose candidate for governor received the second most votes in the county in the most recent gubernatorial election. [Sec. 85.009]

The early voting clerk may appoint additional deputy early voting clerks from the lists submitted by the county chairs. Those additional appointments must be made in a manner that provides equal representation for each political party holding a primary election in the county, to the extent possible. [Sec. 85.009]

If the county chair fails to submit a list or fails to provide enough names on the list for the number of early voting locations in the county, then the early voting clerk must make a reasonable effort to consult with the county chair and may then appoint lead deputy early voting clerks for each early voting location in a manner that provides equal representation for each political party holding a primary election in the county, to the extent possible. [Sec. 85.009(c)]

The deadline for the county chair to submit a list of deputy early voting clerks to the county election officer is June 30 of the year in which the general election for state and county officers will be conducted. The county chair may supplement that list with additional names in case an appointed deputy early voting clerk becomes unable to serve, and that supplemented list may be submitted up until the 30th day before election day. [Sec. 85.009(b)]

Election Day

For the general election for state and county officers, both the election day judges and the election day clerks are appointed through the list procedure. For the election day judges, that list will be submitted by the county chair to the commissioners court. For the election day clerks, those lists will be submitted by the county chair to the presiding judge of each election day polling place. The chair may submit the list directly to commissioners court. [Secs. 32.002, 32.034]

Election Day Presiding Judge and Alternate Presiding Judge

In the general election for state and county officers, the term-appointed presiding judge and alternate judge will serve as the election judges for that specific election. The presiding judge is appointed from the list submitted by the county chair of the political party whose candidate for governor received the most votes in that specific county election precinct in the most recent gubernatorial election. [Sec. 32.002(c)]

The alternate judge is appointed from the list submitted by the county chair of the political party whose candidate for governor received the second most votes in that specific county election precinct in the most recent gubernatorial election. The alternate judge will serve as the presiding judge in the event that the presiding judge is unable to serve; otherwise, the alternate judge will serve as one of the election day clerks for that specific polling place. [Secs. 32.002(c), 32.032]

In a county that uses the countywide polling place program, the appointment process for election day judges is slightly different. The county chairs will still submit lists of names of

eligible persons to commissioners court, but the commissioners court will appoint a number of presiding judges from each county chair's list that is proportionate to the percentage of precincts of the county where that party's candidate for governor received the most votes in the most recent gubernatorial election. In this situation, the presiding judge and alternate judge are not required to reside in the same precinct where the polling place that they are serving at will be located. [Sec. 32.002(c-1)]

Example: if the county has 10 county election precincts located in county commissioner precinct #1 and one party won 6 of those 10 precincts in the 2022 gubernatorial election while the other party won 4 of those 10 precincts, there would be a 60% to 40% split of the county election precincts in that county commissioner precinct for the two parties. This means that if the county plans to have five countywide polling places in county commissioner precinct #1, the commissioners court must appoint a presiding judge from the list of the party who won 60% of the county election precincts in 2022 to three of those five countywide polling places in county commissioner precinct #1 and a presiding judge from the list of the party who won 40% of the county election precincts in 2022 to the remaining two of the five countywide polling places in county commissioner precinct #1. This is because 60% of five polling places is equal to three polling places and 40% of five polling places is equal to two polling places.

In cases where the application of percentages for countywide polling place judges does not result in a whole number, our office recommends that a county attempt to get as close to the percentages as possible and uniformly apply any resolution method.

Election Day Clerks

Election day clerks in the general election for state and county officers are appointed by the presiding judge of the polling place at which the clerk will serve, based on lists submitted by the county chairs. The presiding judge will appoint at least one clerk from each list submitted by a county chair. The presiding judge is required to appoint at least two clerks, but may appoint as many additional clerks as are necessary to facilitate the conduct of the election at that polling place, subject to any limitation on the maximum number of clerks set by commissioners court. [Secs. 32.033, 32.034]

A list of election clerks for the general election for state and county officers must be submitted to the presiding judge no later than the 25th day before election day. If a presiding judge has not been appointed at the time the list must be submitted, then the list must be submitted to commissioners court and to the county chair of the political party whose candidate for governor received the most votes in that specific county election precinct in the most recent gubernatorial election. That county chair will then appoint the election day clerks from those lists in the same manner that a presiding judge would. [Sec. 32.034]

Early Voting Ballot Board

In the general election for state and county officers, the presiding judge, alternate presiding judge, and members of the early voting ballot board are appointed by the county election board through the list procedure. The county chair for each political party will submit lists of names of persons to serve on the EVBB to the county election board. [Sec. 87.002(c)]

The county election board will appoint the presiding judge from the first name on the list submitted by the county chair of the political party whose candidate for governor received the

most votes in the county in the most recent gubernatorial election. The alternate presiding judge is appointed by the county election board from the first name on the list submitted by the county chair of the political party whose candidate for governor received the second most votes in the county in the most recent gubernatorial election. The county election board will then appoint at least one member from each list submitted by a county chair in order of preference, and must appoint an equal number of individuals from each of the lists submitted. The total number of individuals who will be appointed the EVBB is set by the county election board, but the EVBB must have a minimum of four (i.e., a presiding judge, an alternate presiding judge, and at least two members). [Sec. 87.002]

There is no specific statutory deadline for the county chair to submit their list of individuals to be appointed to the EVBB, but we recommend that this list be submitted to your county election board at the same time that the list of election day judges is submitted to the commissioners court for your county. For counties with a population over 500,000, that deadline would be June 30. For counties with a population of 500,000 or less, that deadline would be July 31. The appointment of a presiding judge or alternate presiding judge of the EVBB for the general election for state and county officers is for a single election rather than a one-year or two-year term. [Secs. 32.002, 87.002]

Signature Verification Committee

If a signature verification committee is created for the general election for state and county officers, then the members of the SVC will be appointed by the county election board through the list procedure. The county chair for each political party will submit lists of names of persons to serve on the SVC to the county election board. [Sec. 87.027]

The county election board will appoint the SVC members from the lists that are submitted by the county chairs. The county election board² will appoint at least two individuals from each list in order of the county chair's preference, and if any additional members are to be appointed, then an equal number will be appointed from each list. The county election board will also appoint a chair for the SVC from the first name on the list submitted by the county chair of the political party whose candidate for governor received the most votes in the county in the most recent gubernatorial election. The county election board will also appoint a vice-chair for the SVC from the first name on the list submitted by the county chair of the political party whose candidate for governor received the second most votes in the county in the most recent gubernatorial election. The total number of individuals who will serve on the SVC is set by the early voting clerk, but the SVC must have a minimum of 6 members (i.e., the SVC chair, the vice-chair, and at least four members). [Sec. 87.027]

There is no specific statutory deadline for the county chair to submit their list of individuals to be appointed to the SVC. Our office recommends that those lists be submitted before September of the year in which the general election for state and county officers is held, to provide adequate time for the appointments to be made and for notice requirements to be met.

Central Counting Station

In the general election for state and county officers, the presiding judge and alternate presiding judge of the central counting station are appointed through the list procedure. However, the

² NEW LAW: HB 2800 (2023, R.S.) requires meetings of the county election board to be held in person and open to the public. The county clerk shall post notice of the meetings on the county's website no later than 48 hours before each meeting of the county election board.

other positions in the CCS (manager, tabulation supervisor, assistant tabulation supervisors, and clerks) are not appointed through the list procedure.

Presiding Judge and Alternate Presiding Judge of CCS

The county chairs of the political parties whose candidates for governor received the highest and second highest number of votes in the county in the most recent gubernatorial election will submit to the commissioners court a list of persons who are eligible for appointment as a presiding judge or alternate presiding judge of the CCS. The commissioners court will appoint the first eligible person on the list from the party whose candidate for governor received the most votes in the county in the most recent gubernatorial election as the presiding judge, and will appoint the first eligible person on the list from the party whose candidate for governor received the second most votes in the county as the alternate presiding judge. The alternate presiding judge will serve in another role in the CCS unless the presiding judge is unable to serve, in which case the alternate presiding judge will serve as the presiding judge. [Sec. 127.005]

The deadline for the county chair to submit their list of individuals to be appointed as presiding judge or alternate presiding judge of the CCS to the commissioners will be the same as the deadline to submit the list for appointment of election day judges. For counties with a population over 500,000, that deadline would be June 30. For counties with a population of 500,000 or less, that deadline would be July 31. [Secs. 32.002(c), 127.005(e)]

CCS Manager, Tabulation Supervisor, Assistant Tabulation Supervisors, and Clerks

The CCS manager and tabulation supervisor are appointed by the commissioners court, and are not subject to the list procedure. Those appointed persons are not required to be aligned or affiliated with any specific political party. Either position may be filled by an employee of the county, including the county election officer. [Secs. 127.002, 127.003]

The assistant tabulation supervisors are appointed by the tabulation supervisor, but those appointments must be approved by the commissioners court. The assistant tabulation supervisors will perform the duties that are assigned by the tabulation supervisor. [Sec. 127.004]

The clerks are appointed by the manager, the presiding judge, and/or the alternate presiding judge of the CCS. A clerk who is appointed by the manager will perform the duties that are assigned by the manager, while a clerk who is appointed by the presiding judge or the alternate presiding judge will perform the duties that are assigned by the presiding judge. The commissioners court will set the number of clerks who may be appointed for the CCS. [Sec. 127.006]

PRIMARY ELECTION

Early Voting

The county election officer is the early voting clerk in a primary election, regardless of whether the primary is conducted as a joint primary or a separate primary and regardless of whether the party contracts with the county for election services for the primary election. [Sec. 83.002]

The appointment process for deputy early voting clerks in the primary election will depend on whether you are conducting a joint primary election in your county or whether you are conducting separate primary elections.

Joint Primary Election

If you are conducting a joint primary election, then the deputy early voting clerks are appointed by the county election officer. There is no list procedure for deputy early voting clerks in a joint primary election. [Secs. 83.032, 85.0091(b)]

Separate Primary Election

If you are conducting a separate primary election, then the deputy early voting clerks are appointed through the list procedure. [Secs. 85.009, 85.0091]

The county chair of each political party that holds a primary election in the county must submit a list to the county election officer containing names of individuals who will serve as the lead deputy early voting clerks for that party's primary election at each early voting location in the county. The county election officer will appoint a lead deputy early voting clerk for that party's primary election at each early voting location from the list submitted by the county chair of that party. [Secs. 85.009(b), 85.0091]

The early voting clerk may appoint additional deputy early voting clerks from the list provided by the county chair. [Secs. 85.009(a), 85.0091]

If the county chair fails to submit a list or fails to provide enough names on the list for the number of early voting locations in the county, then the early voting clerk must make a reasonable effort to consult with the county chair and may then appoint lead deputy early voting clerks for each early voting location who are affiliated or aligned with the appropriate political party, if possible. [Secs. 85.009(c), 85.0091]

The deadline for submission of a list of lead deputy early voting clerks in a separate primary election is set by the county election officer. For more information on the deadline in your specific county, please reach out to your county election office. [Sec. 85.0091(a)]

Election Day

The appointment process for election day workers will generally depend on whether you are conducting a joint primary election in your county or whether you are conducting separate primary elections.

Joint Primary Election

If you are conducting a joint primary election, then the election day judges and clerks are appointed by the county election officer through the list procedure. [Sec. 172.126]

The county chair for each party involved in the joint primary election will submit a list of names of persons to be appointed as the election judges and clerks for each polling place. The county election officer will appoint a co-judge from each party's list for each polling place. The two co-judges will jointly hold authority over the conduct of the polling place in general, but each co-judge will be responsible for their respective party's primary election at that polling location. An equal number of election clerks will be appointed from each list, and the maximum number of clerks who may be appointed for a polling place in a joint primary election is set by the Secretary of State's Office. [Sec. 172.126(c)]

The deadline for the county chair to submit the list of election day judges and clerks for a joint primary election to the county election officer is the second Monday in December before the primary election. [Sec. 172.126(c)]

Separate Primary Election

If you are conducting a separate primary election, then the election day presiding and alternate presiding judges are both appointed by the county chair, and the election clerks are appointed by the election day judges. [Secs. 32.006, 32.031]

The county chair is the appointing authority for election judges in a separate primary, so the chair is responsible for issuing a writ of election to the election judge no later than the 15th day before election day, and must also issue a notice of appointment to the election judge no later than the 20th day after the appointment is made. We recommend combining these two notices and submitting them to those appointed judges as soon as practicable after the appointments are made. [Secs. 4.007, 32.009]

There is no specific statutory deadline for the appointment of election day judges in a separate primary election, but as a practical matter we recommend doing this at least 60 days before election day to provide adequate time to meet your notice requirements and to provide your judges with sufficient time to appoint their election clerks.

Early Voting Ballot Board

The appointment process for the presiding judge, alternate presiding judge, and members of the early voting ballot board in the primary election will depend on whether you are conducting a joint primary election in your county or whether you are conducting separate primary elections.

Joint Primary Election

In a joint primary election, a single EVBB made up of representatives from both parties may be appointed for the joint primary election. The county election officer will appoint the co-judges for the EVBB and the members of the EVBB through the list procedure. [Sec. 172.126; 1 Tex. Admin. Code § 81.148]

The county chairs will submit lists to the county election officer with names of individuals who are eligible to serve as their party's co-judge for the EVBB and members of the EVBB. The county election officer will appoint the first eligible person on each list to serve as that party's co-judge for the EVBB. The county election officer will appoint an equal number of individuals from each list to serve as the other members of the EVBB. If an odd number of individuals are appointed, then the additional individual will be appointed from the list submitted by the county chair for the party whose candidate for governor received the most votes in the county in the most recent gubernatorial election. [Sec. 172.126; 1 Tex. Admin. Code § 81.148]

The co-judges of the EVBB have joint authority over the general conduct of the EVBB. However, each individual co-judge has sole authority to resolve voter intent issues on irregularly marked ballots cast in their own party's primary election. [Sec. 172.126; 1 Tex. Admin. Code § 81.151]

The deadline for the county chair to submit the list of names for appointment to the EVBB in a joint primary election is the second Monday in December before the primary election. [Sec. 172.126; 1 Tex. Admin. Code § 81.148]

Separate Primary Election

In a separate primary election, each party will have a separate EVBB for each primary election. The presiding judge and alternate presiding judge of the EVBB are appointed by the county chair in a separate primary election, and the members of the EVBB are appointed by the presiding judge. [Secs. 32.006, 87.002(b)]

There is no specific statutory deadline for the appointment of the presiding judge of the EVBB in a separate primary election, but as a practical matter we recommend doing this at least 60 days before election day to provide adequate time to meet your notice requirements and to provide your presiding judge with sufficient time to appoint the other members of the EVBB.

Signature Verification Committee

In the event that a signature verification committee is established for a primary election, the appointment process for the chair, vice-chair, and members of the SVC will depend on whether you are conducting a joint primary election in your county or whether you are conducting separate primary elections.

Joint Primary Election

If an SVC is established for a joint primary election, then the co-chairs and members of the SVC will be appointed through the list procedure. [Sec. 172.126; 1 Tex. Admin. Code § 81.148]

The county chairs of the political parties holding the joint primary will submit a list of individuals who are eligible for appointment to the SVC to the county election officer. The county election officer will then appoint a co-chair from each list, and will appoint an equal number of individuals from each list to serve as the other members of the SVC. The number of members who serve on the SVC is set by the county election officer. If an odd number of individuals are appointed, then the additional individual will be appointed from the list submitted by the county chair for the party whose candidate for governor received the most votes in the county in the most recent gubernatorial election. [Sec. 172.126; 1 Tex. Admin. Code § 81.148]

The deadline for the county chair to submit the list of names for appointment to the SVC in a joint primary election is the second Monday in December before the primary election. [Sec. 172.126; 1 Tex. Admin. Code § 81.148]

Separate Primary Election

In a separate primary election, each party will have a separate SVC for each primary election. The chair, vice-chair, and members of the SVC are appointed by the county chair in a separate primary election. The number of members who serve on the SVC is set by the county election officer. [Sec. 87.027(b)-(d)]

The members of the SVC must be appointed by the county chair no later than the 5th day after the date that the county election officer orders the creation of the SVC. [Sec. 87.027(c)]

Central Counting Station

The manager and tabulation supervisor of a central counting station in a primary election are appointed by the county executive committee, and the assistant tabulation supervisors are appointed by the tabulation supervisor with the approval of the county executive committee. Typically, when the parties contract with the county for a joint or separate primary election, the

county will arrange for the persons with the necessary expertise to serve in the role they would usually hold in a county election, and the county executive committee will appoint those individuals. [Secs. 127.002, 127.003, 127.004]

The appointment process for the presiding judge and clerks of the central counting station in the primary election will depend on whether you are conducting a joint primary election in your county or whether you are conducting a separate primary election.

Joint Primary Election

In a joint primary election, a single CCS made up of representatives from both parties may be appointed for the joint primary election. The county election officer will appoint the co-judges and clerks for the CCS through the list procedure. [Sec. 172.126; 1 Tex. Admin. Code § 81.148]

The county chair of each political party holding a primary election will submit a list of individuals to be appointed as co-judge and as clerks for the CCS to the county election officer. The county election officer will select one co-judge from each list, and will appoint clerks from each list in a manner that ensures equal representation for both parties. The total number of individuals who are appointed for the CCS will be determined by the county election officer. If an odd number of individuals are appointed, then the additional individual will be appointed from the list submitted by the county chair for the party whose candidate for governor received the most votes in the county in the most recent gubernatorial election. The clerks who are appointed through the list procedure will be assigned duties by the co-judge of the political party with whom the clerk is affiliated or aligned. [Sec. 172.126; 1 Tex. Admin. Code § 81.148]

In addition to the list-appointed clerks, the CCS manager may also appoint clerks for the CCS, whose duties will be assigned by the CCS manager. There is no list procedure for clerks who are appointed by the CCS manager. [Sec. 127.006]

Each co-judge will jointly have authority to maintain order in the CCS, but each party's individual co-judge will be solely responsible for resolving voter intent issues for irregularly marked ballots counted in the CCS. If there is a conflict between the two co-judges in the CCS, then the manager is responsible for resolving that conflict based on their general authority with regard to the overall administration of the CCS and the supervision of the personnel working at the CCS. [Sec. 172.126; 1 Tex. Admin. Code § 81.151]

The deadline for the county chair to submit the list of names for appointment to the CCS in a joint primary election is the second Monday in December before the primary election. [Sec. 172.126; 1 Tex. Admin. Code § 81.148]

Separate Primary Election

In a separate primary election, a single CCS made up of representatives from both parties may be appointed for the two primary elections. The county chair of each political party holding a primary election will appoint a presiding judge for the CCS. The clerks are appointed by the presiding judges of the CCS and by the manager, and there is no list procedure for the appointment of clerks for the CCS in a separate primary election. [Secs. 127.005, 127.006]

Each presiding judge will jointly have authority to maintain order in the CCS, but each party's individual presiding judge will be solely responsible for resolving voter intent issues for irregularly marked ballots counted in the CCS. If there is a conflict between the two presiding

judges in the CCS, then the manager is responsible for resolving that conflict based on their general authority with regard to the overall administration of the CCS and the supervision of the personnel working at the CCS. [Secs. 127.002, 127.005]

There is no specific statutory deadline for the appointment of the presiding judge of the CCS in a separate primary election, but as a practical matter we recommend doing this at least 60 days before election day to provide adequate time to meet your notice requirements and to provide your presiding judge with sufficient time to appoint the clerks for the CCS.

OTHER COUNTY ELECTIONS **(MAY or NOVEMBER ODD-NUMBERED YEAR)**

The appointment process for many election officials is slightly different between the general election for state and county officers, the primary election, and other county elections.

Early Voting

The county election officer will serve as the early voting clerk for county elections. In a county election other than the general election for state and county officers, the deputy early voting clerks are appointed by the early voting clerk. [Secs. 83.002, 83.032]

There is no list procedure for deputy early voting clerks in a county election other than the general election for state and county officers. For example, in the November constitutional amendment election in an odd-numbered year, there is no list procedure for the appointment of deputy early voting clerks.

Election Day

Election Day Presiding Judge and Alternate Judge

In a county election in which the use of county election precincts is required (such as the November constitutional amendment election in odd-numbered years), the appointment process for election judges is similar to the appointment process for the general election for state and county officers. The term-appointed election judges will serve in those elections, based on the appointments made by commissioners court through the list procedure. [Sec. 32.002]

The presiding judge is appointed from the list submitted by the county chair of the political party whose candidate for governor received the most votes in that specific county election precinct in the most recent gubernatorial election. [Sec. 32.002(c)]

The alternate judge is appointed from the list submitted by the county chair of the political party whose candidate for governor received the second most votes in that specific county election precinct in the most recent gubernatorial election. The alternate judge will serve as the presiding judge in the event that the presiding judge is unable to serve; otherwise, the alternate judge will serve as one of the election day clerks for that specific polling place. [Secs. 32.001, 32.002(c), 32.032]

In a county that uses the countywide polling place program, the appointment process for election day judges is slightly different. The county chairs will still submit lists of names of eligible persons to commissioners court, but the commissioners court will appoint a number of presiding judges from each county chair's list that is proportionate to the percentage of

precincts of the county where that party's candidate for governor received the most votes in the most recent gubernatorial election. In this situation, the presiding judge and alternate judge are not required to reside in the same precinct where the polling place that they are serving at will be located. [Sec. 32.002(c-1)]

The deadline for a county chair to submit their list will depend on the population size of the county. For a county with a population over 500,000, the list must be submitted no later than June 30, and the appointments will be made during the commissioners court's July term. For a county with a population of 500,000 or less, the list must be submitted no later than July 31, and the appointments will be made during the commissioners court's August term. If your county has two-year appointments for your election judges, then the same judges will serve in both the general election for state and county officers and for any other elections (including the November constitutional amendment election) that occur during the two-year term. [Sec. 32.002]

Election Day Clerks

The appointment process for election clerks in other elections where the use of county election precincts is required is different from the appointment process in the general election for state and county officers. In those types of elections, the election clerks are appointed by the presiding judge, and **there is no list procedure** for the appointment of election clerks. [Sec. 32.031]

Early Voting Ballot Board

In a county election other than the general election for state and county officers, the presiding judge and alternate presiding judge of the early voting ballot board are appointed by commissioners court through the list procedure, and the other members of the EVBB are appointed by the presiding judge. [Secs. 32.002, 87.002]

The county chair of each political party will submit a list of names to the commissioners court of individuals who are eligible to serve as the presiding judge or alternate presiding judge of the EVBB. The commissioners court will appoint the presiding judge from the first name on the list submitted by the county chair of the political party whose candidate for governor received the most votes in the county in the most recent gubernatorial election. The alternate presiding judge is appointed by the commissioners court from the first name on the list submitted by the county chair of the political party whose candidate for governor received the second most votes in the county in the most recent gubernatorial election. [Secs. 32.002, 87.002]

The deadline for a county chair to submit their list will depend on the population size of the county. For a county with a population over 500,000, the list must be submitted no later than June 30, and the appointments will be made during the commissioners court's July term. For a county with a population of 500,000 or less, the list must be submitted no later than July 31, and the appointments will be made during the commissioners court's August term. The appointment of a presiding judge or alternate presiding judge of the EVBB is for a fixed term, unlike the general election for state and county officers. [Secs. 32.002, 87.002]

The presiding judge will appoint the other members of the EVBB. **There is no list procedure** for the appointment of the other members of the EVBB in a county election other than the general election for state and county officers. [Secs. 32.031, 87.002]

Signature Verification Committee

If a signature verification committee is established for a county election other than the general election for state and county officers, the chair, vice-chair, and members of the SVC are appointed by the county election board. **There is no list procedure** for the chair, vice-chair and members of the SVC in a county election other than the general election for state and county officers. [Sec. 87.027]

The number of members on the SVC is determined by the county election officer, but a minimum of five members must be appointed (i.e., one chair, one vice-chair, and three other members). [Sec. 87.027]

Central Counting Station

In a county election other than the general election for state and county officers, the presiding judge and alternate presiding judge of the central counting station are appointed by commissioners court through the list procedure. However, the other positions in the CCS (manager, tabulation supervisor, assistant tabulation supervisors, and clerks) are not appointed through the list procedure. [Secs. 127.002, 127.003, 127.004, 127.005, 127.006]

Presiding Judge and Alternate Presiding Judge of CCS

The county chairs of the political parties whose candidates for governor received the highest and second highest number of votes in the county in the most recent gubernatorial election will submit to the commissioners court a list of persons who are eligible for appointment as a presiding judge or alternate presiding judge of the CCS. The commissioners court will appoint the first eligible person on the list from the party whose candidate for governor received the most votes in the county in the most recent gubernatorial election as the presiding judge, and will appoint the first eligible person on the list from the party whose candidate for governor received the second most votes in the county as the alternate presiding judge. The alternate presiding judge will serve in another role in the CCS unless the presiding judge is unable to serve, in which case the alternate presiding judge will serve as the presiding judge. [Secs. 32.002, 127.005]

The deadline for a county chair to submit their list will depend on the population size of the county. For a county with a population over 500,000, the list must be submitted no later than June 30, and the appointments will be made during the commissioners court's July term. For a county with a population of 500,000 or less, the list must be submitted no later than July 31, and the appointments will be made during the commissioners court's August term. If your county has two-year appointments for your election judges, then the same judges will serve in both the general election for state and county officers and for any other elections (including the November constitutional amendment election) that occur during the two-year term. [Secs. 32.002, 127.005]

CCS Manager, Tabulation Supervisor, Assistant Tabulation Supervisors, and Clerks

The CCS manager and tabulation supervisor are appointed by the commissioners court, and are not subject to the list procedure. Those appointed persons are not required to be aligned or affiliated with any specific political party. Either position may be filled by an employee of the county, including the county election officer. [Secs. 127.002, 127.003]

The assistant tabulation supervisors are appointed by the tabulation supervisor, but those appointments must be approved by the commissioners court. The assistant tabulation supervisors will perform the duties that are assigned by the tabulation supervisor. [Sec. 127.004]

The clerks are appointed by the manager, the presiding judge, and/or the alternate presiding judge of the CCS. A clerk who is appointed by the manager will perform the duties that are assigned by the manager, while a clerk who is appointed by the presiding judge or alternate presiding judge will perform the duties that are assigned by the presiding judge. The commissioners court will set the number of clerks who may be appointed for the CCS. [Sec. 127.006]

ELECTION BY LOCAL POLITICAL SUBDIVISIONS

The appointment process for local elections is conducted at the local level, generally by the governing body of the authority ordering the election or the early voting clerk. Those appointments are made at the local level even if the political subdivision has entered into an election services contract with the county to have the county run its election. **There is no list procedure** for election workers for elections conducted by local political subdivisions. [Sec. 32.005]

Early Voting

The city secretary will serve as the early voting clerk for an election ordered by the city council. For elections held by other types of political subdivisions, the authority ordering the election shall appoint the early voting clerk. [Secs. 83.005, 83.006]

In elections in which the city secretary is the early voting clerk, the city secretary may appoint one or more of that officer's permanent deputies as deputy early voting clerks. The city secretary may also appoint temporary deputies to serve as deputy early voting clerks. In an election in which a person other than a city secretary is the early voting clerk, the governing body that appointed the early voting clerk may appoint one or more deputy early voting clerks. An employee of a political subdivision may serve as a deputy early voting clerk. [Secs. 83.031, 83.032]

Election Day

Election Day Presiding Judge and Alternate Judge

For an election held by a local political subdivision, the governing body of the political subdivision shall appoint the presiding judge and alternate presiding judge for each election day polling place. The governing body shall determine whether the appointments are for a single election or for a definite term not to exceed two years. If the appointments are made for a term, the governing body shall set the duration and beginning date of the term and shall fill vacancies in unexpired terms. Presiding judges and their alternates must be given a [Notice of Appointment \(PDF\)](#) not later than the 20th day after the appointment is made. If the appointment is for a single election, the notice may be combined with the [Writ of Election \(PDF\)](#), which is required to be delivered to each presiding judge not later than the 15th day before the election. If the notices are combined, both must be delivered by the date required by the earlier notice. [Secs. 32.005, 32.009]

There is no specific statutory deadline for the appointment of election day judges for elections held by a local political subdivision, but as a practical matter we recommend the governing body make the appointments by the 71st day before election day for an election held on a uniform date and by the 62nd day before election day for all other elections.

Election Day Clerks

The presiding judge of each election day precinct is responsible for appointing election clerks to assist the judge in the conduct of an election at the polling place served by the judge. The governing body of the political subdivision shall prescribe the maximum number of clerks who each presiding judge may appoint for the election. Each election day polling place must have at least two clerks, with the presiding judge appointing the alternate presiding judge as one of the clerks. The appointment of an election clerk is for a single election only.

Early Voting Ballot Board

For an election held by a local political subdivision, the governing body of the political subdivision shall appoint the presiding judge and alternate presiding judge of the early voting ballot board. The presiding judge of the EVBB is responsible for appointing additional EVBB members to serve on the EVBB. The EVBB, at minimum, consists of a presiding judge, an alternate presiding judge, and at least one other member. There is no maximum number of members of the EVBB; however, the board must have enough members to complete board tasks. [Secs. 87.001, 87.002]

There is no specific statutory deadline for the appointment of early voting ballot board judges and members for elections held by a local political subdivision, but as a practical matter we recommend the governing body make the appointments by the 71st day before election day for an election held on a uniform date and by the 62nd day before election day for all other elections. There is no statutory notice requirement for members of the early voting ballot board, but good practice suggests that written notice be given to them.

Signature Verification Committee

The early voting clerk is the authority responsible for determining whether a signature verification committee should be appointed. If the clerk determines that a committee is to be appointed, the clerk shall issue a [written order](#) calling for the appointment of an SVC. If an SVC is established for an election held by a local political subdivision, the chair, vice-chair, and members of the SVC are appointed by the governing body of the political subdivision. [Sec. 87.027]

Members of the SVC must be appointed no later than the fifth day after the order was issued by the early voting clerk. The appointing authority must post [a notice](#) of the appointment of committee members continuously until the last day the signature verification committee meets.

Central Counting Station

Presiding Judge of CCS

The governing body of the political subdivision shall appoint the presiding judge of central count for an election held by a local political subdivision.

There is no specific statutory deadline for the appointment of the presiding judge of central count for elections held by a local political subdivision, but as a practical matter we recommend the governing body make the appointments by the 71st day before election day

for an election held on a uniform date and by the 62nd day before election day for all other elections.

CCS Manager, Tabulation Supervisor, Assistant Tabulation Supervisors, and Clerks

The governing body of the political subdivision shall appoint the central counting station manager and tabulation supervisor for an election held by a local political subdivision. Either position may be filled by an employee of the political subdivision. [Secs. 127.002, 127.003]

The assistant tabulation supervisors are appointed by the tabulation supervisor, but those appointments must be approved by the governing body of the political subdivision. The assistant tabulation supervisors will perform the duties that are assigned by the tabulation supervisor. [Sec. 127.004]

The clerks are appointed by the manager, the presiding judge, and/or the alternate presiding judge of the CCS. A clerk who is appointed by the manager will perform the duties that are assigned by the manager, while a clerk who is appointed by the presiding judge or alternate presiding judge will perform the duties that are assigned by the presiding judge. The governing body of the political subdivision will set the number of clerks who may be appointed for the CCS. [Sec. 127.006]

There is no specific statutory deadline for the appointment of the central counting station manager, tabulation supervisor, assistant tabulation supervisions, and central count clerks for elections held by a local political subdivision, but as a practical matter we recommend the governing body make the appointments by the 71st day before election day for an election held on a uniform date and by the 62nd day before election day for all other elections. There is no statutory notice requirement for members of the central counting station, but good practice suggests that written notice be given to them.

REMOVAL, REPLACEMENT, AND EMERGENCY APPOINTMENTS

Various issues can arise with your election workers throughout the process, which may require that they be removed or replaced. The Election Code provides specific procedures and guidelines for the removal and replacement process, and outlines the process for emergency appointments.

Failure to Submit a List

If a county chair fails to submit a list in a situation where the workers are appointed through the list procedure, then the county election officer is authorized to submit their own list to ensure that there are enough election workers to meet the needs of that particular election. [Secs. 32.002(d), 85.009]

In those situations, the county election officer must make a reasonable effort to consult with the appropriate county chair before submitting their list. The individuals who are appointed from that list should be affiliated or aligned with the political party whose county chair failed to submit a list, if possible. [Secs. 32.002(d), 85.009]

For more guidelines on the specific situations where the county election officer is authorized to submit a replacement list in the event of the county chair's failure to submit a list, please review the appointment procedures above.

Replacement of Election Workers

If the appointed presiding judge is unable to serve for a given election, then the alternate presiding judge will serve in the presiding judge's place. [Sec. 32.001]

If both the presiding judge and the alternate presiding judge are unable to serve in a specific election, then the appointing authority for that election may make an emergency appointment if the inability to serve is discovered after the 20th day before a general election or the 15th day before a special election. The appointing authority must make a reasonable effort to consult with the county chair of the political party with whom the original judge was affiliated, and the replacement judge must be affiliated or aligned with the same political party, if possible. The appointed replacement judge will serve only for that single election. [Sec. 32.007]

In a county that uses the countywide polling place program, the initial list that is submitted by the county chairs can include additional names of individuals who are eligible to serve as election judges. The commissioners court can preapprove the appointment of those surplus election judges, who can then be selected by the county election officer to fill a vacancy in an election judge position that is vacated by an individual from the same political party as the replacement judge. [Sec. 32.002(c-1)]

If a presiding judge or alternate judge will be unable to serve in any future elections during their term of appointment, then the commissioners court will fill the vacancy in that position through the list procedure. The county election officer must notify the county chair of the party with which the judge was affiliated within 48 hours of the vacancy. The county chair must submit a name of an eligible replacement judge in writing to the commissioners court within 5 days of receiving the notice of the vacancy. The commissioners court may then make the replacement at any regular or special term. [Sec. 32.002(e)]

The Election Code does not outline specific replacement procedures for other types of election workers. In situations where a replacement is necessary for a different position, the replacement appointment should be made by the same appointing authority who made the original appointment using the same procedure as the initial appointment.

Removal of Election Workers

If a list-appointed election judge causes a disruption in the polling place or willfully disobeys the requirements of the Election Code, then the county election officer may follow specific procedures to initiate the removal, replacement, or reassignment of that election judge. [Sec. 32.002(g)]

In that situation, the county election officer must first issue an oral warning to the election judge. If the disruption or violations of the Election Code continue, then the county election officer must consult with the county chair who appointed the election judge. If the county election officer and county chair agree on the removal of the election judge, then the resulting vacancy will be filled as an emergency appointment under the procedures described above. [Sec. 32.002(g)]

The Election Code generally does not outline specific procedures for the removal of other types of election workers who are causing a disruption or who have violated the Election Code or other provisions of Texas law. If removal of a list-appointed election worker becomes necessary, the county election officer should use the same process outlined in Section 32.002(g) above. Afterwards, the replacement appointment should be made by the same appointing authority who made the original appointment using the same procedure as the initial appointment.

CONTRACTING AND JOINT ELECTIONS

CONTRACT FOR ELECTION SERVICES

A **contract for election services** is a contract between the political subdivision holding an election in the county and the **county election officer** for specific election services that the county election officer would perform in a countywide election (equipment, ballot programming, etc.). This section focuses only on election workers in a contract for election services. For additional information about contracts for election services, please review Chapter 31 of the Election Code or our presentation on Contracting and Joint Elections.

Early Voting Clerk

Subject to Sections 31.096 (nontransferable functions) and 31.097 (early voting), an election services contract may provide for the county election officer to perform or to supervise the performance of any or all corresponding duties and functions that the officer performs in connection with a countywide election ordered by a county authority. [Sec. 31.094]

Deputy Early Voting Clerk

An election services contract may provide that the county election officer's deputies serve as deputy early voting clerks even if the county election officer is not serving as the early voting clerk or supervising early voting. [Sec. 31.097(a)]

If the county election officer is serving as the early voting clerk, or is providing deputies to serve as deputy early voting clerks, the county election officer's written order appointing a permanent or temporary deputy early voting clerk is sufficient without the necessity for an appointment by any other authority. [Sec. 31.097(b)]

A permanent deputy does not need to meet the eligibility requirements of an election judge. However, a temporary deputy early voting clerk must meet the qualifications for appointment as a presiding judge except that the appointee is not required to be a qualified voter of a particular territory other than the county served by the county election officer or the political subdivision in which the election is held. Additionally, if an employee of the contracting political subdivision is appointed, the appointee's status as an employee does not disqualify them from serving in an election in which an officer of the political subdivision is a candidate. [Sec. 31.097(c)]

Election Judge and Clerk

The county election officer can contract to perform all duties the election officer would typically perform in an election. However, in a situation where the county is not conducting its own election, the election workers should be appointed by governing body of the political subdivision.

A county elections administrator may, but is not required to, enter into a contract to conduct a training program for election judges. [Sec. 31.093(b)]

Early Voting Ballot Board and Central Counting Station

The county election officer can contract to perform all duties the election officer would typically perform in an election. However, in a situation where the county is not conducting its own election, the election workers should be appointed by the governing body of the political subdivision.

JOINT ELECTIONS

A **joint election agreement** is when two political subdivisions, which are holding elections on the same day in the same county, jointly hold their elections in common precincts. The joint election agreement must be approved by the governing bodies of all participating political subdivisions. [Sec. 271.002]

Early Voting Clerk

One of the things entities holding a joint election need to decide is whether early voting is going to be conducted jointly or not.

Joint Early Voting

If the entities decide to conduct joint early voting, then the entities must decide who will serve as the joint early voting clerk. The joint early voting clerk will then appoint the deputy early voting clerks. [Sec. 271.006]

No Joint Early Voting

If the entities decide not to conduct joint early voting, then the city secretary or the authority that ordered the election (for other political subdivisions) will appoint the deputy early voting clerks. Please review the appointment section for political subdivisions discussed earlier for more information.

All Other Election Workers

Pursuant to Section 271.005, a person who is eligible to serve as an election officer in an election of any participating political subdivision is eligible to serve in the same office in a joint election. If a joint election is being conducted with a county, our office recommends that the county provide the list of appointments to the political subdivisions so the governing body of the political subdivision can ratify the appointments.

JOINT PRIMARIES

We cover information on the appointment of election workers in a joint primary in the Appointment of Election Workers section above.

TRAINING REQUIREMENTS FOR ELECTION WORKERS

County

The county clerk/election administrator is required to provide one or more training sessions for election judges and clerks who have been appointed to serve in elections ordered by the governor or a county authority. Each election judge **MUST** complete the training program. The training program must use the standardized training program and materials developed and provided by the Secretary of State.³ The training program must include specific procedures

³ NEW LAW: HB 1632 (2023, R.S.) requires the Secretary of State to develop a standardized training program for polling place workers, early voting ballot board members, signature verification committee members, and central counting station personnel. The training program shall include a published handbook and shall be made available on the Secretary of State's website free of charge. The training program must be made available at any time without prior registration, shall require the passage of an examination, and shall provide a certificate of completion.

related to the early voting ballot board and the central counting station. Each election clerk must complete the part of the training program related to the acceptance and handling of voter identification. The training program must be open to the public, free of charge. [Sec. 32.114]

Each election judge, early voting clerk, or deputy early voting clerk in charge of an early voting polling place is entitled to compensation for attending the training program at an hourly rate fixed by the appropriate authority in an amount that is equal to or greater than the federal minimum wage. [Sec. 32.114]

Notice of Training

The county clerk/election administrator must:

1. Post notice of the time and place of each training session on the county's Internet website, if the county maintains an Internet website, and may additionally post the notice on the bulletin board used for posting notice of meetings of the commissioners court. The notice must include a statement that the training program is open to the public;
2. Notify each presiding judge appointed by the commissioners court of the time and place of each training session AND of the duty of each election judge to complete the training program;
3. Notify the county chair of each political party in the county of the time and place of each training session; and
4. Notify the voter registrar of the date, hour, and place of each training session.

Additionally, each presiding judge receiving notice must notify the alternate presiding judge and other persons serving as election clerks for the judge's precinct of the time and place of each training session. [Sec. 32.114]

Form: [Notification of Election Training Program \[PDF\]](#)

Political Subdivision (Other Than County)

The governing body of a political subdivision, other than a county, may provide training for its election officers using the standardized training program and materials developed and provided by the Secretary of State. A political subdivision may conduct its training independently or jointly with other entities. [Sec. 32.113]

The governing body of a political subdivision must notify the voter registrar of each county in which the political subdivision is situated of the date, hour, and place of each training session. [Sec. 32.113]

The county election officer is not required to provide for the training of election judges and clerks. The county is allowed to contract to provide those services if they choose, but the county election officer does not have a legal duty to contract to provide for the training of election judges and clerks. [Sec. 31.093(b)]

County Executive Committee of a Political Party

The county executive committee of a political party shall provide training for its election officers using the standardized training program and materials developed and provided by the Secretary

of State. The county executive committee may conduct its training independently or jointly with other entities. [Sec. 32.113]

The governing body of a political subdivision must notify the voter registrar of each county in which the political subdivision is situated of the date, hour, and place of each training session. [Sec. 32.113]

The county election officer is not required to provide for the training of election judges and clerks. The county is allowed to contract to provide those services if they choose, but the county election officer does not have a legal duty to contract to provide for the training of election judges and clerks. [Sec. 31.093(b)]

Frequency of Training

Chapter 32 of the Election Code does not indicate how often election judges and clerks must undergo training. **However, the Secretary of State recommends that election judges and clerks complete the training prior to each election.** This is due to the fact that there are laws which are specific to the primary election or other elections such as the general election for state and county officers or a constitutional amendment election. It is recommended that poll workers receive training prior to each election so that they are familiar with their responsibilities and the laws applicable to the specific election.

COMPENSATION FOR ELECTION WORKERS AND OFFICIALS

The governing body with the authority to fix the compensation rates of election judges and clerks depends on the election being held. [Sec. 32.093]

- For an election ordered by the governor or a county authority, the compensation rate is set by the commissioners court.
- For an election ordered by a political subdivision other than a county (i.e., cities, schools, or other political subdivisions), the compensation rate is set by the political subdivision's governing body.
- For a primary election, the compensation rate is set by the county executive committee of the political party holding the primary. If the parties are conducting a joint primary election, the county executive committees should agree on the compensation rate.

EARLY VOTING

Early Voting Clerk

County Clerk/Election Administrator

A county clerk (or election administrator) is not entitled to receive additional compensation for serving as early voting clerk. [Sec. 83.051]

City Secretary

A city secretary is not entitled to receive additional compensation for serving as early voting clerk. [Sec. 83.051]

Other Political Subdivisions

Public Employee – An employee of a political subdivision who is appointed as the early voting clerk for an election affecting the political subdivision may be appointed to serve without additional compensation if the political subdivision’s governing body approves appointment on that basis. The governing body determines whether the individual serves with or without additional compensation. [Sec. 83.053]

Non-Public Employee – An early voting clerk, who is not a county clerk or city secretary, is entitled to compensation in an amount fixed by the authority ordering the election. [Sec. 83.052]

Deputy Early Voting Clerk

Counties and Cities

A deputy early voting clerk who is not an employee of the authority ordering the election is entitled to compensation at an amount fixed by the authority ordering the election. [Sec. 83.052]

Other Political Subdivisions

Public Employee – An employee of a political subdivision who is appointed as a deputy early voting clerk for an election affecting the political subdivision may be appointed to serve without additional compensation if the political subdivision’s governing body approves appointment on that basis. The governing body determines whether the individual serves with or without additional compensation. [Sec. 83.053]

Non-Public Employee – A deputy early voting clerk who is not an employee of the authority ordering the election is entitled to compensation at an amount fixed by the authority ordering the election. [Sec. 83.052]

Student Clerks

A student early voting clerk is entitled to compensation in the same manner as other early voting clerks. [Sec. 83.012]

ELECTION DAY

Election Judge

Primary Elections

A judge may be paid only for the actual time spent on election duties performed in the polling place. The compensation rate shall be equal to the hourly rate paid by the county of election judges in county election up to (not exceeding) \$12 per hour from the primary fund. Additionally, compensation for the election judge (or clerk) who picks up and delivers the election supplies on election day may not exceed \$25 per polling place location. [1 Tex. Admin. Code § 81.120]

If an election worker elects to donate his or her compensation to the county party, signed documentation referencing that fact, by the election worker and chair, must be placed in the primary records. [1 Tex. Admin. Code § 81.120]

Other Elections

An election judge is entitled to compensation for services rendered at the polling place at an hourly rate set by the governing body, which must be at least the federal minimum hourly wage. An election judge may not be paid for more than two hours of work before the polls open, except for payment to make changes to the list of registered voters that are necessary to make it conform to the registration correction list, if provided. Additionally, if voting machines are used in a precinct, a judge may not be paid for more than two hours of work after the time for closing the polls or after the last voter has voted, whichever is later. [Secs. 32.091, 62.014]

Election Clerk

Primary Elections

An election clerk may be paid only for the actual time spent on election duties performed in the polling place. The compensation rate shall be equal to the hourly rate paid by the county of election clerks in county election up to (not exceeding) \$12 per hour from the primary fund. Additionally, compensation for the election judge (or clerk) who picks up and delivers the election supplies on election day may not exceed \$25 per polling place location. [1 Tex. Admin. Code § 81.120]

If an election worker elects to donate his or her compensation to the county party, signed documentation referencing that fact, by the election worker and chair, must be placed in the primary records. [1 Tex. Admin. Code § 81.120]

Other Elections

An election clerk is entitled to compensation for services rendered at the polling place at an hourly rate set by the governing body, which must be at least the federal minimum hourly wage. An election clerk may not be paid for more than two hours of work before the polls open, except for payment to make changes to the list of registered voters that are necessary to make it conform to the registration correction list, if provided. Additionally, if voting machines are used in a precinct, a clerk may not be paid for more than two hours of work after the time for closing the polls or after the last voter has voted, whichever is later. [Secs. 32.091, 62.014]

Student Clerk

A student election clerk is entitled to compensation in the same manner as other election clerks. [Sec. 32.0511]

EARLY VOTING BALLOT BOARD AND SIGNATURE VERIFICATION COMMITTEE

Presiding Judge, Alternate Presiding Judge, and Members

Primary Elections

Members of the early voting ballot board may be paid only for the actual number of hours worked. The compensation rate shall be equal to the hourly rate paid by the county for the early voting ballot board in county elections up to (not exceeding) \$12 per hour from the primary fund. Additionally, compensation for the election judge (or clerk) who picks up and delivers the election supplies on election day may not exceed \$25 per polling place location. [1 Tex. Admin. Code § 81.120]

If an election worker elects to donate his or her compensation to the county party, signed documentation referencing that fact, by the election worker and chair, must be placed in the primary records. [1 Tex. Admin. Code § 81.120]

Other Elections

Members of the early voting ballot board are compensated at the same rate as election judges. The appropriate body under Section 32.093 has the discretion to compensate the presiding judge at a higher rate.

If the board concludes its work in less than 10 hours, then the members may be paid greater compensation than that regularly payable for the amount of time worked, but not to exceed the amount payable for 10 hours' work. [Sec. 87.005]

CENTRAL COUNTING STATION

Central Counting Station Manager

Primary Elections

The central counting station manager may be compensated at a greater rate than \$12 per hour, but costs may not exceed those paid to county staff for comparable work.

If an election worker elects to donate his or her compensation to the county party, signed documentation referencing that fact, by the election worker and chair, must be placed in the primary records. [1 Tex. Admin. Code § 81.120]

Other Elections

The central counting station manager will be compensated at a rate set by the political subdivision. If the central counting station manager is also an employee of the political subdivision, they may be paid additional compensation. [Sec. 127.002]

Tabulation Supervisor

Primary Elections

The tabulation supervisor may be compensated at a greater rate than \$12 per hour, but costs may not exceed those paid to county staff for comparable work.

If an election worker elects to donate his or her compensation to the county party, signed documentation referencing that fact, by the election worker and chair, must be placed in the primary records. [1 Tex. Admin. Code § 81.120]

Other Elections

The tabulation supervisor will be compensated at a rate set by the political subdivision. If the tabulation supervisor is also an employee of the political subdivision, they may be paid additional compensation. [Sec. 127.003]

Assistants to Tabulation Supervisor

Primary Elections

The assistant tabulation supervisor may be compensated at a greater rate than \$12 per hour, but costs may not exceed those paid to county staff for comparable work.

If an election worker elects to donate his or her compensation to the county party, signed documentation referencing that fact, by the election worker and chair, must be placed in the primary records. [1 Tex. Admin. Code § 81.120]

Other Elections

The assistants to tabulation supervisor will be compensated at a rate set by the political subdivision. If an assistant is also an employee of the political subdivision, they may be paid additional compensation. [Sec. 127.004]

Presiding Judge of Counting Station

Primary Elections

The Texas Election Code provides that the presiding judge of the central counting station is entitled to compensation at the same rate as precinct election workers, which is up to \$12 per hour. [Sec. 127.005]

If an election worker elects to donate his or her compensation to the county party, signed documentation referencing that fact, by the election worker and chair, must be placed in the primary records. [1 Tex. Admin. Code § 81.120]

Other Elections

The presiding judge of the central counting station is compensated at the same rate as election judges, but entitled to a minimum of five hours' pay. [Sec. 127.005]

Central Counting Station Clerks

Primary Elections

The Texas Election Code provides that the clerks at the central counting station are entitled to compensation at the same rate as precinct election workers, which is up to \$12 per hour. [Sec. 127.006]

If an election worker elects to donate his or her compensation to the county party, signed documentation referencing that fact, by the election worker and chair, must be placed in the primary records. [1 Tex. Admin. Code § 81.120]

Other Elections

A clerk at the central counting station is compensated at the same rate as election clerks, but entitled to a minimum of three hours' pay. [Sec. 127.006]

AUTHORIZED PERSONNEL

Polling Place/Early Voting Locations

Pursuant to Section 61.001, the following individuals may be lawfully present in a polling place from the time the presiding judge arrives until the precinct returns have been certified and the election records have been assembled for distribution following the election:

- an election judge or clerk;
- a watcher;

- the Secretary of State;
- a staff member of the Elections Division of the Office of the Secretary of State performing an official duty in accordance with the Election Code;
- an election official, a sheriff, or a staff member of an election official or sheriff delivering election supplies;
- a state inspector;
- a person admitted to vote;
- a child under 18 years of age who is accompanying a parent who has been admitted to vote;
- a person providing assistance to a voter under Section 61.032 or 64.032;
- a person accompanying a voter who has a disability;
- a special peace officer appointed by the presiding judge under Section 32.075;
- the county chair of a political party conducting a primary election, as authorized by Section 172.1113;
- a voting system technician, as authorized by Section 125.010;
- the county election officer, as defined by Section 31.091, as necessary to perform tasks related to the administration of the election; or
- a person whose presence has been authorized by the presiding judge in accordance with the Election Code.

Early Voting Ballot Board

Pursuant to Section 87.026, a person may be lawfully present in the meeting place of an early voting ballot board during the time of the board's operations if the person is:

- a presiding judge or member of the board;
- a watcher;
- a state inspector;
- a voting system technician, as authorized by Section 125.010;
- the county election officer, as defined by Section 31.091, as necessary to perform tasks related to the administration of the election; or
- a person whose presence has been authorized by the presiding judge in accordance with the Election Code.

Central Counting Station

Pursuant to Section 127.008, a person may be lawfully present in the central counting station while ballots are being counted if the person is:

- a counting station manager, tabulation supervisor, assistant to the tabulation supervisor, presiding judge, or clerk;
- a watcher;
- a state inspector;
- a voting system technician, as authorized by Section 125.010;
- the county election officer, as defined by Section 31.091, as necessary to perform tasks related to the administration of the election; or
- a person whose presence has been authorized by the counting station manager in accordance with the Election Code.

FREQUENTLY ASKED QUESTIONS

TYPES OF ELECTION WORKERS, THEIR DUTIES, AND QUALIFICATIONS

Q: Do I need to perform a criminal background check on personnel?

A: You need to perform a background check on all election officials, staff, and temporary workers who will engage in pre-election programming, testing, and preparing of the voting system equipment for early voting and election day. After conducting the background check, you will need to decide whether to hire someone if they have a criminal record. [Sec. 129.051(g)]

Q: Can an elected public officer who is not on the ballot work the election?

A: No. A person who holds an elected public office is ineligible to serve as an election judge or clerk in an election. It does not matter whether the office is on the ballot. [Sec. 32.052]

Q: Can an entity officer (city council member, school board trustee, water district trustee, etc.) work a county election if the entity is not part of the election?

A: No. A person who holds an elected public office is ineligible to serve as an election judge or clerk in an election. It does not matter whether the entity is part of the election. [Sec. 32.052]

Q: Can a public officer's family member work an election?

A: It depends. If the officer is a contested candidate on the ballot, then a person is ineligible to serve as an election judge or clerk if the person is related within the second degree by consanguinity or affinity to an opposed candidate for a public or party office. [Sec. 32.054]

Q: Can an election judge appoint their spouse or family member to work with them?

A: Yes. Section 573.061 of the Government Code provides an exemption from the general prohibition against nepotism, as long as the clerk is not related to an elected official of the authority that appoints the election judges for that election (i.e., commissioners court or the governing body of the political subdivision). Therefore, an election judge is not prohibited from appointing a family member as an election clerk. [Sec. 32.031]

Q: Can someone from neighboring County X work an election in County Y?

A: Usually no. To be eligible to serve as an election judge or clerk, a person must be a qualified voter of at least the county (for an election ordered by the governor or a county authority) or the political subdivision (for an election ordered by a political subdivision). However, if the election worker is a permanent employee of the county or political subdivision, then they only need to be a qualified voter of any territory and are not required to be a qualified voter of the county or city. [Secs. 32.051, 83.032].

If a political subdivision is located in more than one county (both County X and County Y), then a person from County X could work the entity's election in County Y, as long as the person is a qualified voter of the political subdivision.

Q: Who is in charge of early voting polling places?

A: By law, the early voting clerk shall conduct the early voting in each election. While a deputy early voting clerk has the same authority as the early voting clerk in conducting early voting, this authority is subject to the early voting clerk’s supervision. Ultimately, the early voting clerk is in charge of early voting at the main early voting polling place as well as all temporary branch polling places. [Secs. 83.001, 83.031, 85.009]

Q: Does the “lead deputy early voting clerk” have the same authority as an election day presiding judge?

A: Although Section 85.009 of the Code references “presiding judge” and “alternate judge” of an early voting polling place for the general election, these individuals are essentially serving as deputy early voting clerks. By law, the early voting clerk is in charge of early voting. [Secs. 83.001, 85.009]

Per Section 83.031(c) of the Code, a deputy early voting clerk has the same authority as the early voting clerk in conducting early voting, subject to the early voting clerk’s supervision. However, this can only be done with the early voting clerk’s supervision and approval because the early voting clerk is still ultimately responsible for the conduct of early voting at the main early voting polling place and all temporary branch locations.

Q: Can a person serve as an election worker if they live in the county but are not registered to vote?

A: No. In order to serve as an election judge or clerk, a person must be a qualified voter. Per Section 11.002(a)(6), a “qualified voter” means a person who is a registered voter. [Secs. 11.002, 32.051]

Q: Can commissioners court add eligibility requirements for election workers? If so, what type of requirements can they add?

A: Commissioners court may prescribe additional eligibility requirements by written order for county elections in which election judges are appointed by commissioners court. [Sec. 32.002(b)]

NUMBER OF ELECTION PERSONNEL REQUIRED

Q: Do I need to hire election clerks who are bilingual?

A: Yes; if 5% or more of inhabitants of a precinct speak Spanish or other certain certified languages, other than English, you must make a reasonable effort to appoint a sufficient number of bilingual clerks. We recommend working with people in your community to locate bilingual clerks, e.g., language teachers, minority groups, civic teachers, current elections workers, and churches with services in other languages. NOTE: If you cannot find enough bilingual clerks, you must provide one bilingual worker at a central location to provide translation and assistance. [Sec. 272.009]

Q: How many election workers do I need at each polling place during early voting?

A: Our office recommends a minimum of two early voting personnel at each voting location.

Q: How many election workers do I need at each polling place on election day?

A: Each election day polling location must have, at minimum, three election workers (a presiding judge, an alternate judge/clerk, and an election clerk). A maximum number of election day workers may be set by the appointing authority.

Q: How many early voting ballot board members do I need?

A: The EVBB must have a minimum of three workers (four for the general election for state and county officers), which would consist of a presiding judge, an alternate presiding judge, and a member. [Sec. 87.002]

Q: Can the central counting station manager, tabulation supervisor, and presiding judge be the same person?

A: No. The roles and duties of the central counting station manager, tabulation supervisor, and presiding judge are distinct and cannot be held by the same person. The manager and the judge are required to consult on issues (e.g., duplication of ballots). The manager and judge have time conflicts—for example, the manager may be sorting irregularly marked ballots while the judge is determining if voter intent can be ascertained. The tabulation supervisor should be very knowledgeable about the voting system and be able to process results while the manager and the judge are handling other duties.

Additionally, in the November General Election for state and county officers. the role of alternate presiding judge will need to be held by a separate person.

APPOINTMENT OF ELECTION WORKERS

Q: Can I refuse to appoint a person as a worker if there have been negative experiences with the worker in prior elections?

A: For county elections in which election workers are appointed from a list provided by the party chair, unless you are aware of something that makes the person statutorily ineligible to serve as an election worker, the appointing authority does not have authority to refuse to appoint the first person who meets the applicable eligibility requirements.

For elections held by political subdivisions where the Section 32.002 list procedure does not apply, the appointing authority has greater authority to refuse to appoint an election worker with whom issues have arisen in the past.

Q: What do I do if a party fails to give me a list of people to appoint as election workers?

A: If a county chair does not submit names by the deadline, as applicable, for a particular precinct, and the county clerk or elections administrator has made a reasonable effort to consult with the chairs regarding the failure to submit names, then the county clerk or elections administrator shall prepare a list for that precinct to submit to the commissioners court. The commissioners court shall select and appoint an eligible person from the county clerk's/elections administrator's list who is affiliated or aligned with the appropriate party, if available. [Sec. 32.002(d)]

Q: Do I need to have the same number of workers from each party?

A: For elections in which the election workers are appointed from a list submitted by the political parties, the relevant statutes generally require the same number of workers be appointed from each party. For more information on appointment procedures for an election, please see relevant section in the handbook above.

Q: Do cities, schools, and other political subdivisions have to appoint workers based on their party affiliation?

A: No. There is no list procedure for election workers for elections conducted by local political subdivisions. [Sec. 32.005]

REMOVAL OF AN ELECTION WORKER

Q: Can I fire an election worker?

A: If an election judge causes a disruption in the polling place or willfully disobeys the requirements of the Election Code, then the county election officer may follow specific procedures to initiate the removal, replacement, or reassignment of that election judge. [Sec. 32.002(g)]

In that situation, the county election officer must first issue an oral warning to the election judge. If the disruption or violations of the Election Code continue, then the county election officer must consult with the county chair who appointed the election judge. If the county election officer and county chair agree on the removal of the election judge, then the resulting vacancy will be filled as an emergency appointment under the procedures described above. [Sec. 32.002(g)]

The Election Code generally does not outline specific procedures for the removal of other types of election workers who are causing a disruption or who have violated the Election Code or other provisions of Texas law. If removal of a list-appointed election worker becomes necessary, the county election officer should use the same process outlined in Section 32.002(g) above. Afterwards, the replacement appointment should be made by the same appointing authority who made the original appointment using the same procedure as the initial appointment.

TRAINING REQUIREMENTS FOR ELECTION WORKERS

Q: Are workers required to complete training for every election?

A: Chapter 32 of the Election Code does not indicate how often election judges and clerks must undergo training. However, the Secretary of State recommends that election judges and clerks complete the training prior to each election.

Q: Can members of the public attend training even if they are not working the election?

A: Yes. The county training program for election workers is open to the public, free of charge. [Sec. 32.114]

Q: Can media attend the training?

A: Yes. The county training program for election workers is open to the public. It is also a good opportunity for the media to get B-roll for the election since devices capable of recording sound or images are prohibited within 100 feet of a voting device during early voting and on election day.

COMPENSATION FOR ELECTION WORKERS AND OFFICIALS

Q: Are workers required to be paid if they only want to work voluntarily?

A: Compensation of election workers is statutorily required. Therefore, we would recommend the county/political subdivision pay the election workers as usual. Failing to pay the workers' wages as usual also might raise employment law issues. For more information about the employment law issues, we defer to your local counsel, your auditor or treasurer, or the Texas Association of Counties.

Q: Can election workers choose to donate their compensation?

A: There is no statutory authority for the county/political subdivision to pay the election workers' compensation directly to a charitable organization like there is for jury compensation. Therefore, the county/political subdivision should pay the election workers as usual and the worker can then decide whether they want to donate that money. [1 Tex. Admin. Code § 81.120]

CONCLUSION

We encourage you to keep in mind your responsibility to ensure the fair conduct of elections, which includes appointing eligible and qualified workers. The presiding officers are responsible for maintaining control and order, but they will often seek guidance from the early voting clerk. You should establish a cooperative relationship with these presiding officers and work with them to ensure that the voting process works smoothly and transparently.

If any questions arise, you may call the Elections Division at our toll-free number, 1-800-252-VOTE(8683). The Elections Division is open Monday through Friday from 8:00 a.m. to 5:00 p.m., and during all uniform election dates from before the polls open until after they close. If any election worker desires to learn more about the election process, they may also call our office to request one of our handbooks for election day officials and the early voting ballot board or our detailed recount procedures. They may also wish to review our online poll worker training at any time, at <https://pollworkertraining.sos.texas.gov>.

APPENDICES

Appendix A(1): Qualifications – Election Day Poll Workers

	Election Judge	Election Clerk
Qualified Voter of _____	Precinct (If unable to find qualified voter of precinct, may use qualified voter of political subdivision → clerk requirements)	Political Subdivision (County, City, etc.)
Can be an employee of political subdivision?	Yes – if there is no other legal or practical conflict, e.g. employee of candidate.	Yes – if there is no other legal or practical conflict, e.g. employee of candidate.
Can be a candidate?	No – if candidate for a <i>contested</i> office in election held on that day → cannot serve in a precinct for which candidate appears on ballot.	No – if candidate for a <i>contested</i> office in election held on that day → cannot serve in a precinct for which candidate appears on ballot.
Can be a relative of candidate?	No – if related within the second degree of consanguinity or affinity to an <i>opposed</i> candidate → cannot serve in a precinct for which candidate appears on ballot.	No – if related within the second degree of consanguinity or affinity to an <i>opposed</i> candidate → cannot serve in a precinct for which candidate appears on ballot.
Can be an employee of candidate?	No – if candidate is <i>opposed</i> and employer of judge → cannot serve in a precinct for which candidate appears on ballot.	No – if candidate is <i>opposed</i> and employer of clerk → cannot serve in a precinct for which candidate appears on ballot.
Can be employee of campaign?	No – if campaign manager or treasurer. Inadvisable – If serving other role within campaign.	No – if campaign manager or treasurer. Inadvisable – If serving other role within campaign.
Can be an public officeholder?	No – if they hold elective public office.	No – if they hold elective public office.
Can be convicted of election offense?	No – if finally convicted of election related offense.	No – if finally convicted of election related offense.

Appendix A(2): Qualifications – Early Voting Officials

County

	Temporary Deputy Early Voting Clerk
Qualified Voter of _____	County.
Can be an employee of political subdivision?	Yes.
If permanent employee of political subdivision, qualified voter of _____	Any territory.
Can be an employee of candidate?	No, unless the Early Voting Clerk is the County Clerk that is a candidate.
Must meet all other requirements of an election judge?	Yes.

Cities, Schools, Other Political Subdivisions

	Early Voting Clerk (Schools and Others)	Deputy Early Voting Clerk (City)	Deputy Early Voting Clerk (School and Other)
Qualified Voter of _____	Political Subdivision, if not a permanent employee of the political subdivision.	City, if not a permanent employee of the city.	Territory Covered by Election.
Can be an employee of political subdivision?	Yes.	Yes.	Yes.
If permanent employee of political subdivision, qualified voter of _____	Any territory.	Any territory.	Any territory.
Can be an employee of candidate?	Yes – if appointing authority has candidates-even if candidates are incumbents and/or opposed, e.g. school board trustees.	Yes – if appointing early voting clerk is a candidate.	Yes – per 83.006(b) and 83.033.
Must meet all other requirements of an election judge?	Yes.	Yes.	Yes.

Appendix A(3): Qualifications – Early Voting Ballot Board and Signature Verification Committee

County

	Early Voting Ballot Board Judge and Member	Signature Verification Committee Member
Qualified Voter of _____	Territory served by early voting clerk.	County for countywide election ordered by governor or county authority or in a primary election. Part of county where election is held for less than countywide election ordered by governor or county authority.
Must meet all other requirements of an election judge?	Yes.	No requirement.

Cities, Schools, Other Political Subdivisions

	Early Voting Ballot Board Judge and Member	Signature Verification Committee Member
Qualified Voter of _____	Territory served by early voting clerk.	Political subdivision.
Must meet all other requirements of an election judge?	Yes.	No requirement.

Appendix A(4): Qualification – Central Counting Station (CCS)

	CCS Manager	Tabulation Supervisor	Assistant Tabulators	CCS Judge	CCS Clerks
Registered Voter of _____	Political subdivision of authority establishing CCS	Political subdivision of authority establishing CCS	No requirement.	Political subdivision of authority adopting voting system	County in which CCS is located. Or employee and qualified voter
Registered voter unless...	Person is employee or it's the first year of adoption	Person is employee of political subdivision that owns/adopts	N/A	N/A	N/A
Can be an employee of political subdivision?	Yes.	Yes.	Yes.	Yes.	Yes – if no other legal or practical conflict.
Can be a candidate or officeholder?	Yes – but only if general custodian of election records.	No.	Yes – if no other legal or practical conflict.	Yes – but only if general custodian of election records.	Yes- but only if general custodian of election records.
Other requirements	Knowledge of voting system	Trained on voting system.	Trained on voting systems	None.	None.
Must meet other requirements of an election judge?	Yes.	Yes.	No.	Yes.	Must meet clerk requirements.

Appendix B: Number of Personnel

County (Elections subject to the Section 32.002 list procedure)

Location	Number	Roles
Precinct Polling Location	-Minimum of 3 per precinct -Maximum # of clerks set by appointing authority *A home-rule charter may provide for fewer than 3 persons.	-Presiding Judge -Alternate Judge/Clerk -Election Clerks
Early Voting Personnel	-Recommended 2 per early voting location. -No maximum - appoint # of deputies necessary to conduct early voting.	-Early Voting Clerk -Deputy Early Voting Clerk
Early Voting Ballot Board	Minimum of 3 – presiding judge, alternate judge, and one other member. -No maximum – appoint # necessary for Board tasks.	-Presiding Judge - Alternate Judge -Early Voting Ballot Board Members
Signature Verification Committee (If any)	-Minimum of 5 members. -No maximum – appoint # necessary to conduct committee tasks.	-Signature Verification Committee Members
Central Counting Station	-Minimum of 4: CCS manager, tabulation supervisor & presiding and alternate judge. -No maximum – may appoint # of clerks and assistants to tabulation supervisor as necessary	-CC Station Manager -Tabulation Supervisor -Assistants to Tabulation Supervision -Presiding Judge -Clerks

Cities, Schools, Other Political Subdivisions

Location	Number	Roles
Precinct Polling Location	-Minimum of 3 per precinct -Maximum # of clerks set by appointing authority *A home-rule charter may provide for fewer than 3 persons.	-Presiding Judge -Alternate Judge/Clerk -Election Clerks
Early Voting Personnel	-Recommended 2 per early voting location. -No maximum - appoint # of deputies necessary to conduct early voting.	-Early Voting Clerk -Deputy Early Voting Clerk
Early Voting Ballot Board	Minimum of 3 – presiding judge, alternate judge, and one other member. -No maximum – appoint # necessary for Board tasks.	-Presiding Judge - Alternate Judge -Early Voting Ballot Board Members
Signature Verification Committee (If any)	-Minimum of 5 members. -No maximum – appoint # necessary to conduct committee tasks.	-Signature Verification Committee Members
Central Counting Station	-Minimum of 3: CCS manager, tabulation supervisor & presiding judge. -No maximum – may appoint # of clerks and assistants to tabulation supervisor as necessary	-CC Station Manager -Tabulation Supervisor -Assistants to Tabulation Supervision -Presiding Judge -Clerks

Appendix C(1): Who Appoints?

General Election for State and County Officers

Position	November General
Election Judge (Presiding and Alternate)	County Commissioners Court via "List Procedure" (32.002)
Election Clerks	Presiding Judge via "List Procedure" (32.034)
Early Voting Clerk	N/A - EVC is County Clerk/Elections Administrator (83.002)
Deputy Early Voting Clerks (Office Personnel)	County Clerk/Elections Administrator (83.032)
Early Voting Election Officers (Polling Place Personnel)	County Clerk via "List Procedure" (85.009)
Early Voting Ballot Board Judge (Presiding and Alternate)	County Election Board via "List Procedure" (87.002(d))
Early Voting Ballot Board Member	County Election Board via "List Procedure" (87.002(c))
Signature Verification Committee Member	County Election Board via "List Procedure" (87.027(b))
Central Counting Station Manager	Authority Establishing Central Count (127.002)
Tabulation Supervisor	Authority Establishing Central Count (127.003)
Assistants to the Tabulation Supervisor	Tabulation Supervisor, with approval of Authority Establishing Central Count (127.004)
Presiding Judge/Alternate Judge of Central Count	County Commissioners Court via "List Procedure" (32.002 and 127.005)
Clerk of Central Counting Station	Central Counting Station Manager or Presiding Judge of Central Count (127.006)

Other County Elections (i.e., November Constitutional)

Position	November General
Election Judge (Presiding and Alternate)	County Commissioners Court via "List Procedure" (32.002)
Election Clerks	Presiding Judge via "List Procedure" (32.034)
Early Voting Clerk	N/A as EVC is County Clerk/Elections Administrator (83.002)
Deputy Early Voting Clerks (Office Personnel)	County Clerk/Elections Administrator (83.032)
Early Voting Election Officers (Polling Place Personnel)	County Clerk/Elections Administrator (83.032)
Early Voting Ballot Board Presiding and Alternate Judge	County Commissioners Court via "List Procedure" (32.002)
Early Voting Ballot Board Member	Presiding Judge via "List Procedure" (32.034)
Signature Verification Committee Member	County Election Board (87.027(b))
Central Counting Station Manager	Authority Establishing Central Count (127.002)
Tabulation Supervisor	Authority Establishing Central Count (127.003)
Assistants to the Tabulation Supervisor	Tabulation Supervisor, with approval of Authority Establishing Central Count (127.004)
Presiding Judge/Alternate Judge of Central Count	County Commissioners Court via "List Procedure" (32.002 and 127.005)
Clerk of Central Counting Station	Central Counting Station Manager or Presiding Judge of Central Count (127.006)

Cities, Schools, Other Political Subdivisions

Position	Appointing Authority
Presiding Election Judge and Alternate Judge	Governing Body of Political Subdivision
Election Clerks	Presiding Judge
Early Voting Clerk	City Election – City Secretary per 83.005 Other Elections - Authority Ordering Election
Deputy Early Voting Clerk	City Election – City Secretary Other Elections – Authority Appointing the Early Voting Clerk
Early Voting Ballot Board Judge and Alternate Judge	Governing Body of Political Subdivision
Early Voting Ballot Board Member	Presiding Judge of Early Voting Ballot Board
Signature Verification Committee Member	Governing Body of Political Subdivision
Central Counting Station Manager	Authority Establishing Central Count
Tabulation Supervisor	Authority Establishing Central Count
Assistants to the Tabulation Supervisor	Tabulation Supervisor, with approval of Authority Establishing Central Count
Presiding Judge of Central Count	Governing Body of Political Subdivision
Clerk of Central Counting Station	Central Counting Station Manager and/or Presiding/Alternate Judge of Central Count

Appendix C(2): When to Appoint?

County

Position	November General
Election Judge (Presiding and Alternate)	-July Term of Commissioners Court (Counties 500k+) -August Term of Commissioners Court (Counties 500k-)
Election Clerks	-Around 25 th day before election day, after list received.
Early Voting Clerk	-Appointed as matter of law.
Deputy Early Voting Clerk (Office Personnel)	-Recommended: As soon as possible after election is ordered.
Deputy Early Voting Clerk (Polling Place Personnel)	-In time for training.
Early Voting Ballot Board Judge (Presiding and Alternate)	-July Term of Commissioners Court (Counties 500k+) -August Term of Commissioners Court (Counties 500k-)
Early Voting Ballot Board Member	-Recommended: Not later than October 1.
Signature Verification Committee Member	-Recommended: 25 th day before election day.
Central Counting Station Manager, Tabulation Supervisor, and Assistants to the Tabulation Supervisor	Recommended: -July Term of Commissioners Court (Counties 500k+) -August Term of Commissioners Court (Counties 500k-)
Judge of Central Count (Presiding and Alternate)	-July Term of Commissioners Court (Counties 500k+) -August Term of Commissioners Court (Counties 500k-)
Clerk of Central Counting Station	Recommended: Around 25 th day before election day.

Cities, Schools, Other Political Subdivisions

Positions	Time to Appoint
Election Judge (Presiding and Alternate) Early Voting Clerk Early Voting Ballot Board Judge (Presiding and Alternate) Central Counting Station Manager Tabulation Supervisor Judge of Central Counting Station	Recommended: Appoint by deadline for ordering election under Section 3.005: -78 th day before uniform elections -62 nd day before other elections
Deputy Early Voting Clerk	Recommended: As soon as possible after election is ordered.
Early Voting Ballot Board Member	Recommended: Presiding judge may designate election judges or clerks to serve on the EVBB. We recommend assisting presiding judge with list.

Appendix D: Duties of Election Workers and Officials

Position	Duties
Election Judge	Management of polling place on election day; preserve order and prevent breaches of peace. Management of clerks hours and activities.
Election Clerks	Performs duties assigned by judge in conducting election.
Early Voting Clerk	Officer in charge of conducting early voting for the election. Also, maintains hours on election day for early voting activities.
Deputy Early Voting Clerk	Also, an officer of the election for conducting early voting with same authority of EVC subject to their supervision.
Early Voting Ballot Board Judge and Members	EVBB process early voting results for the election-mail ballots and processes provisional ballots.
Signature Verification Committee Member	SVC compare signatures on application for mail ballot to carrier envelope to confirm signature is that of the voter's.
Central Counting Station Manager	Management of central counting station and personnel; established written plan for station.
Tabulation Supervisor	Management of automatic tabulating equipment for counting ballots.
Assistants to the Tabulation Supervisor	Assists with automatic tabulating equipment.
Judge of Central Count	Maintaining order of station, and conferring with personnel and review of irregularly marked ballots.
Clerk of Central Counting Station	Assists manager or judge with functions of station.

Appendix E(1): Dual Roles and Conflicts – Election Officials

Role A	Role B	Okay?
Election Official (City Secretary, etc.)	Early Voting Clerk (EVC)	Yes – Generally req'd by law to serve as EVC, and can be appointed by school/other political subdivision. [Ch. 83]
Election Official	Election Judge	No – If election official has employment relationship with candidate. Otherwise, inadvisable since also likely EVC and must manage election.
Election Official	EVBB Judge	No – Duties conflict in scope and time for performance. Also, official may have employee relationship with candidates on ballot.
Election Official	Central Counting Station Manager	Yes – Generally election official appointed as CCS Manager [127.002]
Election Official	Tabulation Supervisor	No – If election official is also CCS Manager. [127.003]
Election Official	Central Counting Station Judge	No - If election official is also CCS Manager or Tabulation Supervisor. [127.005] Inadvisable – If election official has employee relationship with candidates on ballot.
Election Official	Central Counting Station Clerk	No - If election official is also CCS Manager-cannot appoint self. [127.006]

Appendix E(2): Early Voting Officials

Role A	Role B	Okay?
Early Voting Clerk	Election Judge/Alternate Judge	No – Clerk must keep office open on election day (83.011)
Early Voting Clerk	Election Clerk	No – Clerk must keep office open on election day (83.011)
Early Voting Clerk	EVBB Judge/Member	No – Duties conflict in scope and time for performance. Also, official may have employee relationship with candidates on ballot.
Early Voting Clerk	Signature Verification	Inadvisable -Duties conflict in scope and time for performance.
Early Voting Clerk	Central Counting Station	Yes – EVC may serve as CCS Manager. Must appoint other people as Tabulation Supervisor and Presiding Judge, and clerks/assistants, if needed. (Ch. 127)

Appendix E(3): Deputy Early Voting Clerk

Role A	Role B	Okay?
Deputy Early Voting Clerk	Election Judge/Alternate Judge	Yes – Unless needed to assist EVC on election day with early voting duties (83.011), or appointed to EVBB under 87.004
Deputy Early Voting Clerk	Election Clerk	Yes – Unless needed to assist EVC on election day with early voting duties (83.011)
Deputy Early Voting Clerk	EVBB Judge/Member	Inadvisable – If duties conflict in scope and time for performance, e.g. mail ballot work.
Deputy Early Voting Clerk	Signature Verification	Inadvisable – If duties conflict in scope and time for performance, e.g. mail ballot work.
Deputy Early Voting Clerk	Central Counting Station	Yes – Deputy EVC may serve as CCS Manager, but must appoint other people as Tabulation Supervisor and Presiding Judge. (Ch. 127)
Deputy Early Voting Clerk	Employee of Political Subdivision	Yes – if approved by governing body (83.034)
Deputy Early Voting Clerk	Candidate/Officeholder	No – per eligibility requirements of a presiding judge. (Ch. 32)
Deputy Early Voting Clerk	Employee of Candidate	Yes – if early voting clerk is a candidate – generally applies to county clerks. (83.032)
Deputy Early Voting Clerk	Relative of Candidate	No – per eligibility requirements of a presiding judge if within 2 nd degree. (Ch. 32)
Deputy Early Voting Clerk	Campaign Employee – Manager or Treasurer	No – per eligibility requirements of a presiding judge. (Ch. 32)

Appendix E(4): Early Voting Ballot Board

Role A	Role B	Okay?
Early Voting Ballot Board Judge/Member	Election Judge/Alternate Judge	Yes – Authority order election may direct that one precinct’s election officers also serve as the ballot board. Presiding judge of precinct also presiding judge of EVBB. (87.004)
Early Voting Ballot Board Judge/Member	Election Clerk	Yes – See above. (87.004)
Early Voting Ballot Board Judge/Member	Early Voting Official	Inadvisable – If duties conflict in scope and time for performance, e.g. mail ballot work for Deputy EVC.
Early Voting Ballot Board Judge/Member	Signature Verification	No - Conflicts with role on early voting ballot board. (87.027)
Early Voting Ballot Board Judge/Member	Central Counting Station	Maybe – If no conflicts with timing of work on ballot board. (87.027)
Early Voting Ballot Board Judge/Member	Employee of Political Subdivision	No – per eligibility requirements of a presiding judge. (Ch. 32)
Early Voting Ballot Board Judge/Member	Candidate/Officeholder	No – per eligibility requirements of a presiding judge. (Ch. 32)
Early Voting Ballot Board Judge/Member	Employee of Candidate	No – per eligibility requirements of a presiding judge. (Ch. 32)
Early Voting Ballot Board Judge/Member	Relative of Candidate	No – per eligibility requirements of a presiding judge if within 2 nd degree. (Ch. 32)
Early Voting Ballot Board Judge/Member	Campaign Employee – Manager or Treasurer	No – per eligibility requirements of a presiding judge. (Ch. 32)

Appendix E(5): Signature Verification Committee

Role A	Role B	Okay?
Signature Verification Committee Member	Election Judge/Alternate Judge	Yes – If no conflicts with timing of work on signature verification committee (87.027), or appointed to EVBB under 87.004.
Signature Verification Committee Member	Election Clerk	Yes – If no conflicts with timing of work on signature verification committee (87.027), or appointed to EVBB under 87.004.
Signature Verification Committee Member	Early Voting Official	Inadvisable – If duties conflict in scope and time for performance, e.g. mail ballot work for Deputy EVC.
Signature Verification Committee Member	Early Voting Ballot Board Judge/Member	No - Conflicts with role on early voting ballot board. (87.027)
Signature Verification Committee Member	Central Counting Station	Maybe – If no conflicts with timing of work on ballot board.
Signature Verification Committee Member	Employee of Political Subdivision	Yes – no requirement stated in the Election Code, but inadvisable if employee of candidate.
Signature Verification Committee Member	Candidate/Officeholder	Inadvisable – May create perception of bias.
Signature Verification Committee Member	Employee of Candidate	Inadvisable – May create perception of bias.
Signature Verification Committee Member	Relative of Candidate	Inadvisable – May create perception of bias.
Signature Verification Committee Member	Campaign Employee – Manager or Treasurer	Inadvisable – May create perception of bias.

Appendix E(6): Central Counting Station

Role A	Role B	Okay?
Manager or Tabulation Supervisor	Election Judge/Alternate Judge	Maybe – If person has experience with voting systems, and roles do not conflict in time for performance. (Ch. 127)
Manager or Tabulation Supervisor	Election Clerk	Maybe – If person has experience with voting systems, and roles do not conflict in time for performance. (Ch. 127)
Manager or Tabulation Supervisor	Early Voting Official	Yes – Recommend EVC as Manager and a Deputy EVC as Tabulation Supervisor, if clerk owns and operates equipment.
Manager or Tabulation Supervisor	Early Voting Ballot Board Judge/Member	No - Duties conflict in scope of duties and time for performance. (Ch. 87 and 127)
Manager or Tabulation Supervisor	Signature Verification Committee	No - Duties conflict in scope of duties and time for performance. (Ch. 87 and 127)
Manager or Tabulation Supervisor	Employee of Political Subdivision	Yes – Allowed by Ch. 127.
Manager or Tabulation Supervisor	Candidate/Officeholder	Maybe - If Manager is general custodian of records, can also be a candidate. Tabulation Supervisor cannot be a candidate. Neither may be an elected public officer, except for general custodian of records
Manager or Tabulation Supervisor	Employee of Candidate	No – per eligibility requirements of a presiding judge. (Ch. 32)
Manager or Tabulation Supervisor	Relative of Candidate	No – per eligibility requirements of a presiding judge. (Ch. 32)
Manager or Tabulation Supervisor	Campaign Employee – Manager or Treasurer	No – per eligibility requirements of a presiding judge. (Ch. 32)

Appendix E(7): Central Counting Station – Presiding Judge

Role A	Role B	Okay?
Presiding Judge of Central Count	Election Judge/Alternate Judge	Inadvisable – Duties conflict in scope of duties and time for performance. (Ch. 32)
Presiding Judge of Central Count	Election Clerk	Yes – If no conflicts with timing of work as a precinct clerk. (Ch. 32)
Presiding Judge of Central Count	Early Voting Official	Yes – If no conflicts with timing of work as a early voting clerk/deputy early voting clerk.
Presiding Judge of Central Count	Early Voting Ballot Board Judge/Member	Yes – If no conflicts with timing of work on early voting ballot board. (Ch. 87)
Presiding Judge of Central Count	Signature Verification Committee	Yes – If no conflicts with timing of work on signature verification committee.
Presiding Judge of Central Count	Employee of Political Subdivision	Yes – Per 127.005(a) may be employee or general custodian of election records.
Presiding Judge of Central Count	Candidate/Officeholder	Maybe - If Judge is general custodian of records, can also be a candidate. May not be an elected public officer, except for general custodian of records.
Presiding Judge of Central Count	Employee of Candidate	No – per eligibility requirements of a presiding judge. (Ch. 32)
Presiding Judge of Central Count	Relative of Candidate	No – per eligibility requirements of a presiding judge. (Ch. 32)
Presiding Judge of Central Count	Campaign Employee – Manager or Treasurer	No – per eligibility requirements of a presiding judge. (Ch. 32)

Appendix E(8): Central Counting Station – Assistant Tabulator

Role A	Role B	Okay?
Assistant Tabulator	Election Judge/Alternate Judge	Yes – If person has experience with voting systems and duties do not conflict in time for performance. (Ch. 32 and 127)
Assistant Tabulator	Election Clerk	Yes – If person has experience with voting systems, and duties do not conflict in time for performance. (Ch. 127)
Assistant Tabulator	Early Voting Official	Yes – Recommend a deputy early voting clerk serving as assistant tabulator.
Assistant Tabulator	Early Voting Ballot Board Judge/Member	Yes – If person has experience with voting systems, and duties do not conflict in time for performance.
Assistant Tabulator	Signature Verification Committee Member	Yes – If person has experience with voting systems, and duties do not conflict in time for performance.
Assistant Tabulator	Employee of Political Subdivision	Yes – per 127.004(c)
Assistant Tabulator	Candidate/Officeholder	Inadvisable – May create perception of bias.
Assistant Tabulator	Employee of Candidate	Inadvisable – May create perception of bias.
Assistant Tabulator	Relative of Candidate	Inadvisable – May create perception of bias.
Assistant Tabulator	Campaign Employee – Manager or Treasurer	Inadvisable – May create perception of bias.

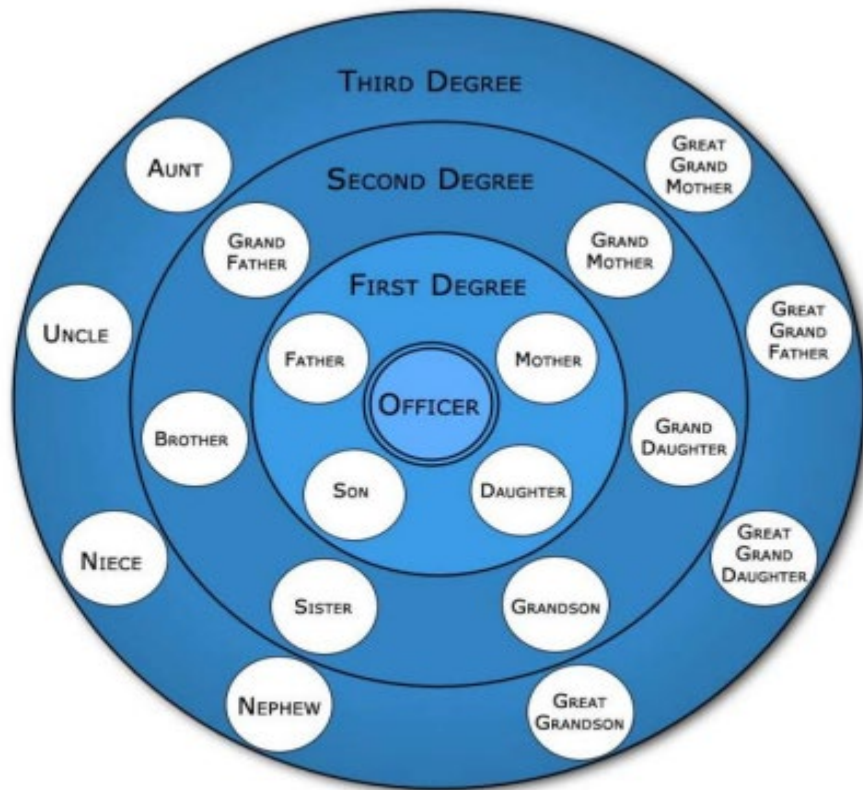
Appendix E(9): Central Counting Station – Clerks

Role A	Role B	Okay?
Central Count Clerk	Election Judge/Alternate Judge	Yes – If no conflict in time for performance. (Ch. 32 and 127)
Central Count Clerk	Election Clerk	Yes – If duties not conflict in time for performance. (Ch. 32 and 127)
Central Count Clerk	Early Voting Official	Inadvisable – Duties conflict in time for performance.
Central Count Clerk	Early Voting Ballot Board Judge/Member	Inadvisable – Duties conflict in time for performance. (Ch. 87)
Central Count Clerk	Signature Verification Committee Member	Inadvisable – Duties conflict in time for performance.
Central Count Clerk	Employee of Political Subdivision	Yes – Per 127.006(b) may be employee, general custodian of election records, or employee of general custodian.
Central Count Clerk	Candidate/Officeholder	No – per eligibility requirements of a clerk. (Ch. 32)
Central Count Clerk	Employee of Candidate	No – per eligibility requirements of a clerk. (Ch. 32)
Central Count Clerk	Relative of Candidate	No – per eligibility requirements of a clerk. (Ch. 32)
Central Count Clerk	Campaign Employee – Manager or Treasurer	No – per eligibility requirements of a clerk. (Ch. 32)

Appendix F: Compensation

Position	Compensation	Additional Compensation
Election Judge and Clerks	-Compensated at rate set by political subdivision, but must at least be federal minimum wage. Limits on payment for work before/after polls close. (32.091 & 32.092)	N/A
Early Voting Clerk/ Deputy Early Voting Clerk	-If not county clerk or city secretary or employee, entitled to compensation at rate set by political subdivision. (83.052)	-If county clerk or city secretary, not entitled to additional compensation if serving as EVC (83.051) -If employee of political subdivision, may be appointed without additional compensation. (83.053)
Early Voting Ballot Board Judge and Members	-Compensated at same rate as election judges. If the work is less than 10 hours, may be paid up to 10 hours. (87.005)	-EVBB is also serving as election judges/clerks, not entitled to additional compensation. -The presiding judge of an early voting ballot board may be compensated at a higher rate at the discretion of the appropriate authority. (87.005)
Signature Verification Committee Member	-Code does not specify, recommend same rate as election judges.	N/A
Central Counting Station Manager	-Compensated at rate set by political subdivision. (127.002)	-If also an employee, may be paid additional compensation. (127.002)
Tabulation Supervisor	-Compensated at rate set by political subdivision. (127.003)	-If also an employee, may be paid additional compensation. (127.003)
Assistants to the Tabulation Supervisor	-Compensated at rate set by political subdivision. (127.004)	-If also an employee, may be paid additional compensation. (127.004)
Judge of Central Count	-Compensated at same rate as judges, but is entitled to minimum of 5 hours. (127.005)	N/A
Clerk of Central Count	-Compensated at same rate as clerks, but is entitled to minimum of 3 hours. (127.006)	N/A

Appendix G: Nepotism



CONSANGUINITY KINSHIP
Relationship by Blood



AFFINITY KINSHIP
Relationship by Marriage