

## TEXAS MUNICIPAL CLERKS CERTIFICATION PROGRAM



## Election Calendar

### For a City's Election on November 3, 2020

This calendar indicates the dates for actions necessary in a general election of city officers to be held on November 3, 2020. It includes all major actions for which the Election Code prescribes a specific date or deadline for performance, but it does not include all actions (e.g., preparation of ballot boxes and other election equipment and of sets of precinct election forms) for which the beginning date for performance can vary from one city to another depending on local factors. Each city secretary should use the chart in M §9.02 of the *Texas Municipal Election Law Manual* in conjunction with this calendar to fill in those dates on the city secretary's personal election calendar created in accordance with local conditions [see M §9.03]. The city secretary's personal calendar should also reflect dates that the city secretary prefers in place of the discretionary dates recommended in this calendar.

Column 5 indicates the time interval between the date of the action and election day. For example, the notation "50<sup>th</sup>" in the entry for September 16 means that the first day for the city secretary's mandatory office hours is the 50<sup>th</sup> day before election day; the notation "+9" in the entry for November 14 means that last day for the EVBB to verify and count provisional ballots is the 9<sup>th</sup> day after election day.

When there is a statutory provision prescribing the last day for the performance of an act, the number in Column 5 reflects that day. If the statutory day must be moved because of a Saturday, Sunday, or state or national holiday, the resulting date is designated in Columns 1 and 2 and Column 5 indicates, in parentheses and italics, the actual number of days measured from election day.

In preparing a personal calendar, the city secretary should remember the rule in EC §1.006 that if the last day for performance of an action falls on a Saturday, Sunday, or a state or national holiday, the deadline date is usually extended to the next regular business day whether the day is a city holiday or not [see M §2.16(a)]. When a deadline is extended for this reason, the extended date is used for determining other dates that are calculated in relation to the event of the extended date. Exceptions are noted in this calendar.

**NOTE RELATED TO ELECTIONS POSPONED DUE TO COVID-19:** On March 18, 2020, Governor Abbott issued a proclamation allowing political subdivisions that were scheduled to hold an election on May 2, 2020 to postpone those elections until the November 3, 2020 uniform election date: <https://lrl.texas.gov/scanned/govdocs/Greg%20Abbott/2020/proc03182020.pdf>. Note that postponing the election does not have the effect of reopening the candidate filing

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period and does not authorize a new ballot drawing for those candidates who filed for the May election. References in this calendar to the filing period and ballot drawing are intended to apply only to those cities that were not originally scheduled to have an election in May 2020 but rather were always scheduled to have their election on the November uniform election date. However, deadlines relevant to withdrawal of candidacy or declarations of ineligibility are applicable to candidates who originally filed for the May 2, 2020 election so it is possible for those candidates to withdraw or be declared ineligible by the appropriate deadlines for the November 3, 2020 election.

**NOTE RELATED TO NEW LAW:** References in this calendar to House or Senate bills are for those passed in the recent 86<sup>th</sup> legislative session (2019).

Major steps are in ALL CAPS. Steps for early voting are in *ITALICS*.

Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Wed Jan 1	<i>First day voters may submit an application for a ballot by mail (ABBM), for an Annual ABBM, or for a Federal Postcard Application (FPCA). The first day does not move even though this is a holiday, New Year's Day.</i>	City Secretary	16.51(a)	308 <sup>th</sup>
Thu Jun 18	LAST DAY to begin posting on bulletin board the notice of the dates of the filing period for the general election. (30 days before first day to file application for a place on the ballot). <b>DOES NOT apply to cities that postponed their May election due to COVID-19.</b> Notice must contain location where applications will be received.	City Secretary	11.05(f)	138 <sup>th</sup>
Fri Jun 26	Obtain a supply of the following forms: candidate's application for place on ballot; appointment of campaign treasurer (candidate and specific-purpose committee); report of contributions and expenditures (candidate-officeholder and specific-purpose committee); application for mail ballot, and a set of administrative forms if ordered from a supply house. (Set up schedule for ordering precinct sets and other forms if they are to be ordered later.)	City Secretary	7.11 et seq. 18.10	*130 <sup>th</sup>

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Jun 26- Jul 24	Review recommendation for following steps listed in M § 9.02 for possible needed or desired action: Steps 1 through 5 (revising election precincts; designating polling places; changing method of voting if equipment is available but not adopted for use or if acquisition of equipment by city is desired); Step 12 (establishing or changing terms of election judges).	City Secretary and City Council	9.02	*130 <sup>th</sup> thru *102 <sup>nd</sup>
Wed Jul 15	LAST DAY for timely filing of semi-annual report of contributions and expenditures.	City Secretary	18.05	Jul 15
Fri Jul 17 - Aug 7	Recommended period for CALLING ELECTION AND POSTING NOTICE of ELECTION on bulletin board.	Mayor <sup>[1]</sup>	10.02 10.03 10.04 10.12	*109 <sup>th</sup> to *88 <sup>th</sup>
Sat Jul 18	FIRST DAY FOR FILING APPLICATION for place on General election ballot. [30 <sup>th</sup> day before filing deadline on Mon, Aug 17.] <b>DOES NOT apply to cities that postponed their May election due to COVID-19.</b>	City Secretary	11.05(a)	108 <sup>th</sup>
Wed Aug 5	LAST DAY for small city in small county to provide secretary of state notice of intent to use exception to accessibility requirements or show undue burden, if required.	City Secretary	7.07(d), (e), (f)	90 <sup>th</sup>
Fri Aug 14- Aug 20	Recommended period to POST 72 HOUR NOTICE OF DRAWING for order of names on ballot. <b>DOES NOT apply to cities that postponed their May election due to COVID-19.</b>	City Secretary	8.06	*81 <sup>st</sup> thru *75 <sup>th</sup>

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Aug 14	<p>Remove candidate's name from ballot in GENERAL election if the candidate dies on or before this date (day before the 2<sup>nd</sup> day before filing deadline, in other words, the 3<sup>rd</sup> day before the filing deadline).</p> <p><b>NOTE: NEW LAW (HB 1067)</b>, if a candidate dies after this date but on or before the filing deadline, the City Secretary MAY still choose to remove the candidate's name from the ballot, in which case the filing deadline is extended to the 5<sup>th</sup> day after the regular filing deadline.</p>	City Secretary	11.25(a)	81 <sup>st</sup>
<p>Mon Aug 17</p> <p>Aug 17</p>	<p>LAST DAY FOR FILING APPLICATION FOR PLACE ON BALLOT in the GENERAL election (this deadline is <b>not</b> extended for a city office having a 4-year term if no candidate files, unlike in May election). Application must be received by 5 p.m. - City secretary's office should stay open until 5 p.m.</p> <p><b>DOES NOT apply to cities that postponed their May election due to COVID-19.</b></p> <p><b>NOTE: NEW LAW (HB 1067)</b>, if a candidate dies after this date but on or before the filing deadline, the City Secretary MAY still choose to remove the candidate's name from the ballot, in which case the filing deadline is extended to the 5<sup>th</sup> day after the regular filing deadline.</p> <p>STATUTORY LAST DAY FOR ORDERING GENERAL ELECTION or SPECIAL ELECTION TO FILL A VACANCY (for cities authorized to fill vacancies by special election).<sup>[2]</sup></p>	<p>City Secretary</p> <p>Mayor</p>	<p>11.05(b) &amp; (d) 11.06</p> <p>10.04</p>	<p>78<sup>th</sup></p> <p>78<sup>th</sup></p>

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Aug 17	Remove candidate's name from ballot in SPECIAL election if the candidate dies on or before this date (3 <sup>rd</sup> day before filing deadline). <b>NOTE: NEW LAW (HB 1067)</b> , if a candidate dies after this date but on or before the filing deadline, the City Secretary MAY still choose to remove the candidate's name from the ballot, in which case the filing deadline is extended to the 5 <sup>th</sup> day after the regular filing deadline.	City Secretary	11.25(a)	78 <sup>th</sup>
Thu Aug 20	<b>LAST DAY FOR FILING AN APPLICATION</b> for a place on the ballot or a <b>Declaration of Write-in Candidacy</b> in a <b>SPECIAL</b> election to fill a vacancy. The deadline is <b>6 pm</b> . The city secretary's office should stay open until 6 pm.  <b>(DOES NOT apply to cities that postponed their May election due to COVID-19).</b>	City Secretary	13.06	75 <sup>th</sup>
Aug 20	Recommended last day to POST 72-HOUR NOTICE OF DRAWING for order of names on ballot. <b>DOES NOT apply to cities that postponed their May election due to COVID-19.</b>	City Secretary	8.06	*75 <sup>th</sup>
Aug 20	Recommended beginning date for preliminary work on appointment of election judges.	City Secretary	4.08	*75 <sup>th</sup>
Aug 20 Thru Aug 24	Recommended period to CONDUCT DRAWING FOR ORDER OF NAMES ON BALLOT <b>(DOES NOT apply to cities that postponed their May election due to COVID-19).</b> (If candidate submits stamped self-addressed envelope requesting mail notice of drawing, City Secretary must provide it.) Prepare ballot format and send it to printer in preparation for printing.	City Secretary	8.06	*75 <sup>th</sup> thru 71 <sup>st</sup>

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Fri Aug 21	LAST DAY FOR A WRITE-IN CANDIDATE in GENERAL election to declare candidacy by 5 p.m. (DOES NOT apply to cities that postponed their May election due to COVID-19). City secretary's office should stay open until 5 p.m.	City Secretary	11.10(b)	74 <sup>th</sup>
Mon Aug 24	LAST DAY for ballot candidate to <u>withdraw</u> in a GENERAL or SPECIAL election and have candidate's name removed from the ballot (withdrawal request must be received by 5 p.m.). EXCEPTION: A withdrawal submitted after this date is valid if it is submitted before the ballots are prepared and before public notice of the logic and accuracy test has been published (for cities using an electronic voting system).	City Secretary	8.05 11.22 11.23 11.24	71 <sup>st</sup>
Aug 24	LAST DAY that a declaration of <u>ineligibility</u> causes omission of candidate's name from ballot in a GENERAL or SPECIAL election. It must occur by 5 p.m.	City Secretary	8.05 11.22 11.23 11.24	71 <sup>st</sup>
Aug 24	LAST DAY for write-in candidates to <u>withdraw</u> (by 5 p.m.) in a GENERAL or SPECIAL election and have the candidate's name removed from the list.	City Secretary	11.10(e) 11.22(b)(3)	71 <sup>st</sup>
Aug 24	Recommended last day to conduct DRAWING for order of names on ballot in a GENERAL or SPECIAL election	City Secretary	8.06	*71 <sup>st</sup>
Aug 24	If no candidate has an opponent in an election considered to be a separate election, RECOMMENDED date to deliver the certification of unopposed candidates to the city council.	City Secretary	10.23	*71 <sup>st</sup>

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Aug 24	<p><b>NEW LAW (HB 1067)</b> - LAST DAY FOR FILING APPLICATION FOR PLACE ON BALLOT, IF a candidate died on or before the regular filing deadline, and City Secretary chose to remove that candidate's name from the ballot (See Aug 17 entry).</p> <p><b>NOTE:</b> New filing deadline is the 5<sup>th</sup> day after the regular filing deadline, which falls on Saturday, Aug 22, and is extended to Mon, Aug 24.</p>	City Secretary	11.25	73 <sup>rd</sup> (71st)
Sat Aug 29	<p><b>NEW LAW (HB 1067, HB 4129)</b> - LAST DAY to withdraw from GENERAL or SPECIAL election if filing deadline was extended due to removal of deceased candidate's name from the ballot (deadline does not move to next business day).</p> <p><b>EXCEPTION:</b> A withdrawal submitted after this date is valid if it is submitted before the ballots are prepared AND if the public notice of the logic and accuracy test has not been published.</p>	City Secretary	11.22(f)	66 <sup>th</sup>
Thu Sep 3	Recommended date to order the lists of registered voters from the county voter registrar to be used in early voting by mail.	City Secretary	6.32	*61 <sup>st</sup>
Fri Sep 4	<p>LAST DAY TO DELIVER NOTICE TO THE COUNTY CLERK AND VOTER REGISTRAR of each county in which the election will be held.</p> <p><b>NOTE: NEW LAW (HB 933, HB 1241):</b> The Notice must now include the location of each polling place, including the building name, if any, and the street address, including suite or room number, if any.</p>	City Council (City Secretary)	10.16	60 <sup>th</sup>

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Sep 4	<i>Recommended day to contact the county clerk or elections administrator concerning availability of the initial list of voters who have submitted <b>annual</b> applications for ballot by mail (ABBM).</i>	City Secretary	16.523	60 <sup>th</sup>
Fri Sep 11-21	Recommended period for APPOINTING ELECTION JUDGES. <sup>[2]</sup> (Schedule for first council meeting after period if no meeting during period.) Notice to judges must be given by the 20 <sup>th</sup> day after appointment. (May be combined with notice to hold election, if both time periods are met.)	City Council <sup>[1]</sup>	4.03 4.04 4.05 10.15	*53 <sup>rd</sup> thru *43 <sup>rd</sup>
Mon Sep 14	RECOMMENDED DATE TO PRINT BALLOTS which have been prepared earlier.	City Secretary	8.16	*50 <sup>th</sup>
Sep 14	Beginning date of period for mandatory office hours.	City Secretary	2.15	50 <sup>th</sup>
Sep 14	Last day to publish notice of first test of automatic tabulation equipment and logic and accuracy test of direct recording electronic voting machines (DREs) and precinct scanners if test will be completed on recommended date of Sep 16, for cities using such equipment. Notice must be published 48 hours before test begins.	City Secretary	7.40	*50 <sup>th</sup>
Wed Sep 16	Recommended date to conduct first test of automatic tabulation equipment and logic and accuracy test of direct recording electronic voting machines (DREs) and precinct scanners, for cities using such equipment (recommended test is done before first ballots are mailed for the election).	City Secretary	7.40	*48 <sup>th</sup>

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Fri Sep 18	Last day for a challenge of a candidate application if the first ballots by mail are placed in the mail on Sep 19. NOTE this deadline will be earlier if any ballots were mailed prior to the 45 <sup>th</sup> day before election day.	City Secretary	11.07(d)	46 <sup>th</sup>
Sat Sep 19	<p>DEADLINE for mailing ballots to FPCA voters and other voters who are eligible for early voting because they are voting from outside the United States. If it is not possible to mail these ballots by this deadline, the City Secretary must notify the secretary of state within 24 hours of knowing the deadline will not be met.</p> <p><b>NOTE:</b> Information on roster made available: NEW LAW (HB 1850, SB 902) - Information on the roster for a person who votes early in person or who votes early by mail must be available for public inspection and on the County's website if the County Clerk or Elections Administrator is the early voting clerk or on the City's website if the City Secretary is the early voting clerk, by 11:00 am on the day after the information is entered on the roster (for voters voting in person) or by 11:00 am on the day after the early voting clerk receives the ballot (for voters voting by mail). If the entity does not maintain a website, the information must be on the bulletin board used for posting notices.</p>	City Secretary	16.57	45 <sup>th</sup>
Sun Oct 4	Last day to begin posting order calling for signature verification committee (SVC), if SVC will meet Oct 14; notice must be posted continuously for 10 days prior to meeting of SVC.	City Secretary	16.72	30 <sup>th</sup>

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Oct 4-26	PERIOD FOR PUBLISHING NOTICE OF ELECTION. 10 <sup>th</sup> day before election day is Sat, Oct 24. This period is extended to Mon, Oct 26. However, it is highly recommended that the notice of the election be published by the 10 <sup>th</sup> day before election day and preferably prior to the start of early voting. Notices containing times and places for early voting by personal appearance must be posted on the city's website, if the city has a website.	Mayor <sup>[1]</sup>	10.12 20.04(c)& (d)	30 <sup>th</sup> thru 10 <sup>th</sup> (8 <sup>th</sup> )
Mon Oct 5	LAST DAY TO MAIL BALLOTING MATERIALS for early voting by mail, to persons whose applications were accepted before the 37 <sup>th</sup> day. <b>NEW LAW - HB 273</b> provides that the clerk must mail ballots out to voters by the 30 <sup>th</sup> day before election day if the clerk accepted the application by the 37 <sup>th</sup> day before election day (old law was the 45 <sup>th</sup> day). In any case, ballots should be mailed as soon as possible.  <b>NOTE:</b> For voters who will be voting from outside the U.S. (Including FPCA), if balloting materials cannot be mailed by the applicable deadline, the early voting clerk must notify the secretary of state of the delay. See <b>NOTE</b> below.	City Secretary	16.57	30 <sup>th</sup> (29 <sup>th</sup> )
Oct 5	Due date for filing first report of campaign contributions and expenditures by opposed candidates and specific-purpose committees supporting or opposing opposed candidates, by 5 p.m. or, if filed electronically, midnight. City secretary's office should stay open until 5 p.m. See <b>NOTE</b> below.	City Secretary	18.06	30 <sup>th</sup> (29 <sup>th</sup> )

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Oct 5	Last day for submitting voter registration application in time to vote at the election or for requesting transfer of registration in time to vote in new precinct not in the same county and territory. See <b>NOTE</b> below. <b>NOTE:</b> 30 <sup>th</sup> day is on Sun, Oct 4. These actions are extended to Mon, Oct 5 (29 <sup>th</sup> day).	Registrar	6.23(g) 6.25(b)	30 <sup>th</sup> (29 <sup>th</sup> )
Oct 5	Recommended last day to notify presiding judges of duty to hold election.	Mayor	10.15	*30 <sup>th</sup> *(29 <sup>th</sup> )
Oct 5	Recommended last day to request voter registrar to prepare lists of registered voters and furnish statement of residence forms to be used in conducting the election.	City Secretary	6.32 6.35 7.42	*29 <sup>th</sup>
Oct 5	Recommended day to begin posting the Notice of Voting Order Priority for voters	City Secretary	9.221(d)	*29 <sup>th</sup>
Fri Oct 9	FIRST POSSIBLE DEADLINE to receive applications for a ballot by mail hand-delivered by the applicant – if your office will <u>not</u> be open on October 12 (Columbus Day), this is the last day to accept an application for a ballot by mail hand-delivered by the applicant (by close of business). This is the last business day before the beginning of early voting by personal appearance, IF your office will <u>not</u> be open October 12.	City Secretary	16.51(e) 16.53(b) Gov's Proclamation	25 <sup>th</sup>
Mon Oct 12	LATEST POSSIBLE DEADLINE to receive application for a ballot by mail hand-delivered by the applicant, as this is the last business day before the beginning of early voting by personal appearance, IF your office is <u>open</u> October 12 (Columbus Day). See October 9 entry.	City Secretary	16.51(e) 16.53(b) Gov's Proclamation	22 <sup>nd</sup>

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Tue Oct 13	Last day for publication of notice of the test of automatic tabulating equipment or DREs to be used in early voting, if the test is on Oct 16.  <b>NOTE:</b> It is highly recommended that both the above notices should be given <u>no later than the 3<sup>rd</sup> day before the day of the test</u> to assure that the notice is published at least 48 hours before the test begins, as required by law.	City Secretary	7.40(d), 7.38(d)	21 <sup>st</sup>
Oct 13	LAST DAY for POSTING NOTICE OF ELECTION on bulletin board used for posting notices of city council meetings ( <b>must</b> be posted on the internet website if one is maintained by the city). Notice must include the location of all election day and early voting locations and must be amended to add Saturday and Sunday locations and times, if necessary.	City Secretary <sup>[1]</sup>	10.12(c)	21 <sup>st</sup>
Oct 13	<b>“FIRST DAY FOR EARLY VOTING BY PERSONAL APPEARANCE. Per the Governor’s Proclamation dated July 27, 2020, early voting by personal appearance will begin on Tuesday, October 13. If voting will be conducted on Sat or Sun, Oct 17 or 18 or on Oct 24 or 25, notice of schedule must be posted at least 72 hours before first hour of the weekend voting.”</b>	City Secretary	Gov’s Proclama- tion	21 <sup>st</sup>
Oct 13	<b>“Recommended last day to post 72-hour notice of weekend early voting if it is held on Sat, Oct 17. Posting on this day assures compliance regardless of the time voting begins.”</b>	City Secretary	16.22(k) Gov’s Proclama- tion	21 <sup>st</sup>

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Wed Oct 14-25	Possible period to post notice amending notice of branch early voting locations to show additional early voting branch locations and schedule, if locations added after the beginning of early voting. Schedule must be posted on the internet website if one is maintained by the city, otherwise on the bulletin board used for posting notices of meetings of the governing body.	City Secretary	16.22(k)	22 <sup>nd</sup> (20 <sup>th</sup> ) thru 9 <sup>th</sup>
Oct 14	First day a signature verification committee may begin work.	City Secretary	16.72	20 <sup>th</sup>
Oct 14	Last day to begin posting of continuous notice of schedule for branch early voting polling places. “Recommended last day to post 72-hour notice of weekend early voting if it is held on Sat, Oct 18. Posting on this day assures compliance regardless of the time voting begins.”	City Secretary  City Secretary	16.22(k) 16.22(k) Gov’s Proclamation	20 <sup>th</sup>  20 <sup>th</sup>
Oct 16	Last day early voting clerk, upon receipt of defective early voting application, must mail 2 <sup>nd</sup> application with explanation of defects and instructions.	City Secretary	16.53(c) (3) & (4)	18 <sup>th</sup>
Oct 16	Last day for conducting first test of automatic tabulating equipment and DRE equipment to be used for <u>early voting</u> (at least 48 hours before voting begins).	City Secretary	7.40(c) & (d)	18 <sup>th</sup>
Oct 19	STATUTORY DEADLINE TO NOTIFY JUDGES OF DUTY TO HOLD THE ELECTION.	Mayor	10.15(a)	15 <sup>th</sup>
Tue Oct 20	Recommended last day to post 72-hour notice of weekend early voting if it is held on Sat, Oct 24. Posting on this day assures compliance regardless of the time voting begins.	City Secretary	16.22(k)	14 <sup>th</sup>

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Oct 20	Deadline for city secretary to receive petition requiring voting on Saturday, Oct 24.	City Secretary	16.22(k)	14 <sup>th</sup>
Wed Oct 21	Recommended last day to post 72-hour notice of weekend early voting if it is held on Sun, Oct 25. Posting on this day assures compliance regardless of the time voting begins.	City Secretary	16.22(k)	13 <sup>th</sup>
Oct 21	Deadline for City secretary to receive petition to require voting on Sunday, Oct 25.	City Secretary	16.22(k)	13 <sup>th</sup>
Thu Oct 22 – Nov 3	First day cities holding joint election with county having population of 100,000 or more may convene the early voting ballot board to process mail ballots. 24-hour notice must be posted for each delivery of voting materials made before election day. If notice requirements have been followed, the board may process the materials but may not count the ballots until after the end of the period of early voting by personal appearance. (9 <sup>th</sup> day before end of early voting by personal appearance.)	City Secretary	16.74(a)	12 <sup>th</sup> thru close of polls on Election Day
Fri Oct 23	Last day to receive application by mail for a ballot to be voted by mail, by 12 noon or close of business, whichever is later. Also applies to FPCA. An FPCA received from an unregistered voter after the 20 <sup>th</sup> day but by the 11 <sup>th</sup> day is entitled to <b>federal ballot only</b> .	City Secretary	16.51(d) 16.55(b) 17.02(b)	11 <sup>th</sup>
Oct 23	Last day for county to deliver final list of voters that submitted an annual application for ballot by mail (ABBM).	City Secretary	16.523(a) (3)	11 <sup>th</sup>

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Mon Oct 26	LAST DAY FOR PUBLICATION OF NOTICE OF ELECTION. 10 <sup>th</sup> day is Sat, Oct 24. This action is extended to Mon, Oct 26 (8 <sup>th</sup> day). It is highly recommended to publish no later than 10 <sup>th</sup> day, and preferably before early voting in person begins. See M 10.12(b)(3).	Mayor <sup>[1]</sup>	10.12(b)	10 <sup>th</sup> (8 <sup>th</sup> )
Oct 26	Due date for filing second report of campaign contributions and expenditures by 5 p.m. or midnight if filed electronically.	City Secretary	18.06(c) 18.08(a) & (c)	8 <sup>th</sup>
Tue Oct 27  Oct 27	<p>Recommended last day for publication of notice of first test of automatic tabulating equipment to be used at a <u>central counting station</u> and a <u>polling place</u> if the first test is on Oct 30. (48 hours before <b>date</b> of test.)</p> <p>Recommended last day for publication of notice of the test of DRE equipment to be used at a <u>polling place</u> if the first test is on Oct 30. (48 hours before the test begins.)</p> <p><b>NOTE:</b> Both the above notices should be given no later than the 3<sup>rd</sup> day before the day of the test to assure the timely 48-hour notice requirements.</p>	City Secretary  City Secretary	7.40(b) & (d)  7.38(d)	*7 <sup>th</sup>  *7 <sup>th</sup>
Thu Oct 29	First day for death in family to qualify for late (emergency) early voting.	City Secretary	17.31	5 <sup>th</sup>
Oct 29	Last day to receive hard copy of an ABBM that was faxed or an FPCA that was faxed or emailed by voter on Oct 23 and voter still receive a ballot for this election	City Secretary	16.51(e)	5 <sup>th</sup>
Fri Oct 30	LAST DAY OF REGULAR EARLY VOTING BY PERSONAL APPEARANCE.	City Secretary	16.21(c)	4 <sup>th</sup>

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Oct 30	Recommended last day for conducting first test of automatic tabulating equipment to be used at a <u>polling place</u> or <u>central counting station</u> (at least 48 hours before used for counting on election day) and <u>DRE equipment</u> to be used at a polling place. To assure 48 hours before 7 am of election day, test must be by 3 <sup>rd</sup> day which is Sat. The secretary of state has extended this deadline to Mon, but it is inadvisable to wait that long to conduct tests. Notice must be published at least 48 hours <u>before date</u> of test for automatic tabulating equipment and 48 hours <u>before test begins</u> for DREs.	City Secretary	7.40(d) 7.38(d)	*4 <sup>th</sup>
Oct 30- Nov 3	As soon as early voting is over, and until 7:00 p.m. Nov 3, early voting ballots may be delivered to the EVBB for qualifying purposes (may not be counted until election day, except if election is held jointly with a county in counties of 100,000 or more. See below.) Post notice of delivery continuously 24 hours before each delivery.	City Secretary	16.74(a)	4 <sup>th</sup> thru close of polls on Election Day
Oct 30	In election held jointly with a county having a population of 100,000 or more, this is the first day that the EVBB may begin counting early ballots voted by mail starting at 7:00 pm. Assure that the counting equipment has been tested at least 48 hours before use.	Early Voting Ballot Board	16.74	4 <sup>th</sup> at 7:00 pm, or whenever early voting ends on that day
Sat Oct 31	Last day to receive an application to cancel mail ballot that has not arrived at the address on the carrier envelope. This deadline is not extended because there are other procedures for canceling a mail ballot.	City Secretary	16.59(a)	3 <sup>rd</sup>

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Oct 31- Nov 2	Period to apply for late (emergency) early voting because of death in family occurring Oct 29 or later.	City Secretary	17.33	3 <sup>rd</sup> thru 1 <sup>st</sup>
Oct 31- Nov 2	Prepare list of registered voters for EVBB if more than one early voting polling place.	City Secretary	16.76	*3 <sup>rd</sup> thru 1 <sup>st</sup>
Oct 31- Nov 3	Period to apply for late (emergency) early voting because of illness or disability originating on or after Oct 22.	City Secretary	17.17	3 <sup>rd</sup> thru Election Day, 5 p.m.
Sun Nov 1          Nov 1	Last day to conduct test of voting equipment. <b>NOTE:</b> It would be unwise to wait until this date due to the possible need to reprogram if an error is discovered. See entries for Oct 27 and Oct 30.  <b>NEW LAW (HB 305):</b> IF City maintains a website, deadline to post on website the requirements and deadline for filing for candidacy of each elected office of the political subdivision <u>for the November 2021 election.</u> <b>NOTE:</b> See Endnotes for additional information that must be posted on the website.	City Secretary          City Secretary	7.38(d) 7.40(d)          N/A	2 <sup>nd</sup>          365 <sup>th</sup>
Mon Nov 2	Last day to submit an application (by close of business) for, <u>and vote a ballot</u> by personal appearance due to death in immediate family that occurred Oct 29 or later.	City Secretary	17.33(b)	1 <sup>st</sup>
Nov 2	Last day to deliver precinct early voting lists to presiding election judges. Early voting clerk must mark this list with notation for each name of voter who voted early.	City Secretary	7.47 16.83(j)	1 <sup>st</sup>
Nov 2	Recommended date for delivery of equipment to polling places (statutory deadline is 6 a.m. on election day).	City Secretary	7.48	*1 <sup>st</sup>

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Tue Nov 3	<b>ELECTION DAY.</b> Polls are open 7 a.m. to 7 p.m. Voting by sick or disabled voters at main early voting place, 7 a.m. to 7 p.m., where voting machines are used at precinct polling place.	City Secretary	17.41	E Day
Nov 3	7 a.m. to 7 p.m. early voting clerk's office must remain open for early voting activities.	City Secretary	9.23	E Day
Nov 3	5 p.m. deadline for late applications for ballots from voters who became ill or disabled Oct 22 or later.	City Secretary	17.16 17.17	E Day
Nov 3	7 p.m. deadline for receiving ballots from voters who became ill or disabled Oct 22 or later.	City Secretary	17.17	E Day
Nov 3	Deliver early voting ballots, etc., to EVBB. Second key to ballot box is delivered by chief of police or marshal.	City Secretary	16.73(a)	E Day
Nov 3	7 p.m. first deadline for receiving early voting mail ballots, except overseas and armed forces ballots and certain ballots placed for delivery before deadline. After regular mail delivery, check mail box for early voting mail ballots. See additional deadline on +1 day.	City Secretary	9.23(c)(4) 16.58(a)	E Day
Nov 3	Receive precinct records, voted ballots, etc. (Chief of police or marshal receives keys to ballot boxes containing voted ballots.)	City Secretary Mayor	9.33(d) 9.34	E Day
Nov 3	PREPARE UNOFFICIAL TABULATION OF RESULTS.	City Secretary	9.35	E Day

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Wed Nov 4	<p>Second deadline for receiving mail ballots if the delivery envelope arrives by 5 pm and has a cancellation mark indicating it was placed for delivery at or before 7 pm. p.m. at the location of the election on election day. This second deadline occurs the day after the election.</p> <p><b>Note:</b> This applies to voters who submitted an application for a ballot by mail and cast a by-mail ballot from within the United States.</p>	City Secretary	16.58(a)	+1
Nov 4	<p>First day for public access to early voting by mail applications and for mailed early voting ballot materials, including those for annual ABBMs.</p> <p><b>NOTE: NEW LAW (HB 1850, SB 902)</b> requires information on the roster for a person who votes early voting in person or who votes early by mail to be available for public inspection and on the County's or City's websites (or bulletin board if there is not website) when information on voters voting in person is entered on the roster or when ballots by mail are received. See entry for Sat Sep 19.</p>	City Secretary	16.56(g)	+1
Nov 4	Last day to deliver provisional ballots to Voter Registrar of each county in which the city is located (if registrar did not pick ballot up on election night).	City Secretary	9.41	+1
Thu Nov 5	Recommended day to PROVIDE OFFICIAL OATH AND STATEMENT OF ELECTED OFFICIALS to candidates who appear to have won or may win. These are provided for information only. The oaths are taken after the canvass.	City Secretary	12.32(d)	*+2

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Fri Nov 6-16	Period during which EVBB may meet to count ballots received from outside the United States <u>if</u> the early voting clerk certifies that all ballots mailed from outside the United States have been received.	Early Voting Ballot Board	16.74(f)	+3 thru +13
Nov 6-17	Completion before canvass of report of early votes cast for each candidate or measure, by election precinct.	City Secretary	16.87	+3 thru +14
Nov 6-17	PERIOD FOR OFFICIAL CANVASS. The city council sets exact day and hour. City Secretary records results in election register as soon as practicable after canvass. [Canvass may occur before 14 <sup>th</sup> day only if all FPCA ballots have been received and the ballot board has completed the count of provisional ballots.]	City Council/ City Secretary	9.42 9.44	+3 thru +14
Nov 6-17	AFTER CANVASS, ISSUE CERTIFICATES OF ELECTION, except that, if a recount has been requested, the certificate in that race may not be issued until after the recount.	Mayor	12.23	+3 thru +14
Nov 6-23	ORDERING OF RUNOFF ELECTION, if necessary, not later than 5 <sup>th</sup> day after canvass. If the 5 <sup>th</sup> day after canvass is Nov 22, a Sat, the deadline is extended to Mon, Nov 23, the 20 <sup>th</sup> day after the election. A runoff candidate has until 5pm of the 3 <sup>rd</sup> day after the canvass to withdraw from the runoff election.	City Council or Mayor <sup>[1]</sup>	14.04	+3 thru +19 (+20)
Nov 2-24	Partial manual count of electronically counted ballots. Must begin not later than 72 hours after polls close and be completed by the +21 <sup>st</sup> day. (Note that SOS has stated it will no longer waiver the partial manual count).	City Secretary	9.45	+3 thru +21

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Mon Nov 9	Type A elected officials may qualify and assume duties of office. [LGC §22.006] The statute states 5 <sup>th</sup> day after election, excluding Sundays. The resulting day is the 6 <sup>th</sup> day after the election. Since this a first day, it is not affected by the Veterans Day holiday. Officials may not take office until the canvass is complete unless the election was cancelled.	Candidate with City Secretary	12.34	+6
Mon Nov 9	LAST DAY for receiving a mail ballot from outside the U.S. from a non-military voter, (or a military voter that submitted an ABBM instead of an FPCA), if postmark indicates ballot placed for delivery by 7 pm on election day. The 5 <sup>th</sup> day after the election is Sun, Nov 8. This action is extended to Mon. Nov 9, the 6 <sup>th</sup> day after the election.	City Secretary	16.58(b)	+5 (+6)
Nov 9	LAST DAY to receive an FPCA ballot voted by a member of the armed forces of the U.S. or a spouse or dependent of a member, including the merchant marines. NO postmark showing date placed for delivery is required on these ballots.	City Secretary	16.58(b-1)	+6
Nov 9	Last day for provisional voter to present acceptable ID to the registrar, complete Reasonable Impediment Declaration, or execute appropriate affidavit.	City Secretary	16.261(g)	+6
Nov 10	Last day for Voter Registrar to complete review of provisional ballot and designate a time for the general custodian of election records or presiding judge of the EVBB to retrieve the provisional ballots. The designated time must be before the convening of the EVBB.	City Secretary or Presiding Judge of the EVBB	9.41, 91.42 TAC § 81.175 (a)(2) and (d)(3)	+7

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<b>Date</b>	<b>Action</b>	<b>By or With Whom Taken</b>	<b>Manual Ref. §</b>	<b>Column 5</b>
Fri Nov 13	Last day to mail to voters, notices of rejected mail ballots.	Presiding Judge of EVBB	16.78	+10
Mon Nov 16 – Mon Nov 30	Period during which notice of disposition of provisional ballots must be mailed to voters. If 10 <sup>th</sup> day is Sat or Sun, the last day is extended to Mon. If the 10 <sup>th</sup> day is Thanksgiving Day or Fri, Nov 27, both state holidays, the deadline is extended to Mon, Dec 2.	Presiding Judge of EVBB	16.77	By 10 <sup>th</sup> day after Canvass (unless Sat, Sun, or holiday)
Mon Nov 16	Last day the EVBB meets to count ballots received from outside the United States, if the early voting clerk did not certify that all ballots mailed from outside the United States and any FPCA ballots from members of the U.S. armed forces or merchant marines or the spouse or dependent of a member had been received earlier.	Early Voting Ballot Board	16.74(f)	+13
Nov 16	Last day for EVBB to verify and count provisional ballots reviewed by the voter registrar.	Early Voting Ballot Board	9.41 16.77	+13
Tues Nov 17	LAST DAY for conducting the official canvass of the election.	City Council/ City Secretary	9.42	+14
Tue Nov 24	LAST DAY to complete and mail results of the partial manual count	City Secretary	9.45	+21
Thu Nov 26 – Fri Jan 1	POSSIBLE PERIOD FOR RUNOFF ELECTION, depending on date official canvass was held, unless home rule city charter provides for a later date	City Council/ City Secretary	14.03	20 <sup>th</sup> – 45 <sup>th</sup> day after canvass

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Date	Action	By or With Whom Taken	Manual Ref. §	Column 5
Sun Dec 13	LAST DAY OF MANDATORY OFFICE HOURS. NOTE: City Secretary does not need to maintain office hours on Saturday or Sunday, so essentially the last day of mandatory office hours is Friday, Dec. 11.	City Secretary	2.15	+40 (+38)
Sun Jan 3	First day for transfer of voted ballots in the main election from the locked ballot box to another secure container.	City Secretary	9.49	+61
Sep 4, 2021	Last day of preservation period for ballots and other non-federal precinct election records of	City Secretary	9.49(g)	+22 months
Nov 4, 2021	Last day of preservation period for candidate applications.	City Secretary	11.02(f)	+2 years

Endnotes

- [1] Follow home-rule city's charter provision, if any.
- [2] The city's governing body may choose to conduct a mock student election under EC §276.007. The major steps taken for a general election should be taken for a student election. The student election may be held on the first day before the election, but results must not be published until after the polls close on election day.
- [3] HB 1067 provides that if a candidate on the ballot dies on or before the filing deadline, the City Secretary MAY choose to remove the candidate from the ballot, in which case, the filing deadline is extended 5 days. If that extended filing deadline falls on a weekend or holiday, it is extended to the next business day. Withdrawal deadlines after the extended filing deadlines will also be impacted.
- [4] HB 305 was effective 9/1/19, and it provides that certain information must be posted on a city's website, if the city maintains a website. (1) the political subdivision's contact information, including a mailing address, telephone number, and e-mail address; (2) each elected officer of the political subdivision; (3) the date and location of the next election for officers of the political subdivision; (4) the requirements and deadline for filing for candidacy of each elected office of the political subdivision for the next election

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for officers of your governing body (must be posted continuously for at least one year prior to the next election for the office). (5) each notice of a meeting of the political subdivision's governing body under Subchapter C, Chapter 551; and (6) each record of a meeting of the political subdivision's governing body under Section 551.021. Note that a City with population of less than 5,000 located in a county with population of less than 25,000 does not have to post (5) and (6) on its website.

See these definitions from the Secretary of State's Advisory 2019-19:

**Meaning of "location."** Your jurisdiction already must post polling places on your website (if you have one) as part of standard election notice requirements. See the relevant entries in our calendars. Sections 85.006, 85.007. The political subdivision should also provide the address of the main administrative office (i.e. the location a person would expect to file candidate applications).

**Meaning of "requirements" for office.** At a minimum, a statement of requirements should include form, content, and procedure; for example, the type of application form needed, if there is a fee or petition in lieu of filing fee, and so on. However, we think the likely legislative intent is to also post the qualifications for office; for example, how long the candidate must be a resident, whether the candidate must be a registered voter, and so on. The Ethics Commission has advised us that this posting need not refer to Ethics Commission filing requirements.

**Meaning of "next election."** Although the likely meaning is the next general election (as the requirement is about "officers," a year in advance), the best practice would be to also post any such notice of a special election for an officer as soon as possible after ordering the special election.

#### NOTE ON CALENDAR FOR RUNOFF ELECTION

To prepare a calendar for a runoff election, see M §14.03.

#### NOTE ON CONTEXT

When reading a section of the Election Code, remember to read the chapter and subchapter titles to determine if the section you are reading applies to cities.

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