

GLOSSARY OF ELECTIONS TERMINOLOGY

Affiliation (with a political party): A person becomes affiliated with a political party when the person is accepted to vote in the party's primary election or applies for and is provided an early voting or limited primary ballot to be voted by mail. Alternatively, a person may become affiliated with a political party when the person takes an oath of affiliation at the precinct convention. A person must be affiliated with a political party to be eligible to: (1) serve as a delegate to or otherwise participate in a convention held by a party; (2) be elected as a member of or be appointed to fill a vacancy on a state executive committee; or (3) be appointed to fill a vacancy on a county executive committee. To be eligible to affiliate with a political party, a person must be a registered voter or eligible to vote a limited ballot at the time of affiliating. A person who is affiliated with a political party is ineligible to become affiliated with another political party during the same voting year. Any party affiliation expires at the end of the voting year (calendar year) in which the person became affiliated.

Alternate Judge/Alternate Presiding Judge – Appointed by the authority ordering the election to serve in an election polling place on election day. Serves as a clerk unless needed to take over the role of Presiding Election Judge in the event of that person's inability to serve.

Annual ABBM: An application for a ballot submitted by a person who wishes to vote by mail for the reason of age or disability and that serves as an application for every election run by the early voting clerk for the remainder of the calendar year after the ABBM is submitted.

Application for a Ballot by Mail ("ABBM"): To be entitled to vote an early voting ballot by mail, a person who is eligible for early voting must make an application for an early voting ballot to be voted by mail. The requirements to apply for a ballot by mail are very specific, and the ABBM form contains all of the information a person needs to provide in order to apply for a ballot by mail.

Application for a Place on the Ballot: The form filed by a candidate with the appropriate filing authority to apply for a place on a ballot. General Requirements for Application - A candidate's application for a place on the ballot that is required by this code must: (1) be in writing; (2) be signed and sworn to by the candidate and indicate the date that the candidate swears to the application.

Article XI, Section 11 (Texas Constitution): Provides that home rule cities may provide by charter or charter amendment and general law cities by election may select a longer term of office than 2 years (i.e., 3 or 4 years). If a term length of greater than 2 years is chosen, all members of the governing body must be elected by majority vote, and any vacancy in such an office must be filled by special election within 120 days after such vacancy occurs.

Automatic Tabulating Equipment: Equipment, other than a voting machine, that compiles vote totals by ballot sorting, ballot reading, ballot scanning, or electronic data processing.

Ballot: Either in paper form or electronic, the mechanism for voters to show their vote preferences.

Ballot Box Nos. 1, 2, 3, & 4: A ballot box is a container for ballots that can be locked (double-locked in case of a ballot box used for early voting by personal appearance) and sealed. Ballot boxes no. 1

and no. 2 are used for the deposit of voters' marked ballots; ballot box no. 3 is used for delivering the voted ballots to their custodian after they are counted and for storing the voted ballots during the preservation period; and ballot box no. 4 is used for delivering defectively printed, spoiled, and unused ballots to their custodian after the election. Ballot boxes no. 1 and no. 2 must each have a slot in the top just large enough to receive a ballot. Ballot boxes no. 3 and no. 4 are not required to have a slot, but if a slot is provided, it may not be larger than that prescribed for boxes no. 1 and no. 2.

Ballot Envelope: The envelope, usually white, in which a voter places his marked ballot when voting by mail; also called a ballot secrecy envelope. This envelope is in turn placed in the Carrier Envelope.

Ballot Image: The ballot as it appears on a direct recording electronic (DRE) voting system.

Ballot Instructions: The wording found at the top of the ballot, but below the words "OFFICIAL BALLOT," that instructs a voter on how to mark the ballot. Examples of statutory ballot instructions include: "Vote for the candidate of your choice in each race by placing an "X" in the square beside the candidate's name." Or, if more than one candidate is to be elected in any race on the ballot, "Vote for none, one, two, . . .or " (in the numerical sequence appropriate for the number of candidates to be elected). There are also specific instructions for straight-party voting, propositions, and for electronic voting machine ballots. See Secs. 52.070 – 52.072, 124.063.

Bilingual Requirements: Bilingual election materials (printed in English and Spanish) shall be used in elections in this state.

Branch Early Voting Location: Either Permanent or Temporary – a location other than the main early voting site where voters can vote early by personal appearance.

Calendar Year: A document that is good for the calendar year effectively "expires" on December 31 at the end of the year. That is, it is not necessarily good for a full year from the date of filing (unless filed on January 1).

Cancellation of An Election: An election may be cancelled under certain circumstances as allowed by law. Reasons for cancellation include candidates being unopposed or a moot measure (i.e., the action to be authorized by the voters may not be taken, regardless of the outcome of the election).

Candidate: A person who is running for an elected office.

Canvass: The procedure performed by the governing body of the political subdivision whereby the election results become official. At the time set for convening the canvassing authority for the local canvass, the presiding officer of the canvassing authority shall deliver the sealed precinct returns to the authority. The authority shall open the returns for each precinct and prepare a tabulation stating for each candidate and for and against each measure the total number of votes received in each precinct and the sum of those precinct totals (the tabulation must also show the total number of voters who cast a ballot). Two members of the authority constitute a quorum for purposes of canvassing an election.

Carrier Envelope: The envelope in which a voter places his sealed ballot envelope (containing his marked by-mail ballot). The voter then seals the carrier envelope, signs the back flap on the

signature line, and mails this to the early voting clerk conducting the election in which the voter is casting a ballot.

Census: An official count of the number of people in a region. The federal census is done by the federal government every 10 years.

Central Counting Station: A centralized location at which ballots cast during the election are tabulated and election reports generated based on those tabulations. The authority adopting an electronic voting system for use in an election may establish one or more central counting stations for counting the ballots if the voting system is designed to have ballots counted at a central location.

Certificate of Election: After the completion of a canvass, the presiding officer of the local canvassing authority shall prepare a certificate of election for each candidate who is elected to an office for which the official result is determined by that authority's canvass. A certificate of election is then issued to each winning candidate.

Charter City: See Home Rule City.

City Secretary: A city clerk or, in a city that has no city secretary or clerk, the city officer who performs the duties of a city secretary.

Combination Form: A form used at the polling place during early voting and election day that combines multiple functions and requirements into a single form. For example, the form contains the poll list and signature roster, space for election workers to add the name and address of a voter's assistant, and notations that a voter is voting provisionally, is not on the list of registered voters, or has a similar name issue. The form also includes the "similar name" and "voter not on list" affidavits to be initialed by voters. The form has multiple carbon copy layers, with one copy each going into Envelopes 2, 3, and 4, and one copy in with ballot box #3.

Combined Election Precincts: When two or more county election precincts vote at the same polling place but the precincts are reported separately and separate paperwork is kept for each precinct. Contrast "Consolidated Precinct."

Commissioner/JP/Constable Precinct: Each county in the state must be divided into four commissioner's precincts; one county commissioner is elected to represent each commissioner precinct. Similarly, each county must be divided into justice of the peace and constable precincts; the number of such is dependent upon the county population and other factors. See Art. V, Sec 18, TX Constitution.

Confirmation Notice: A notice sent to a voter by the voter registrar when the registrar has reason to believe that a voter's current residence is different from that indicated on the registration records. The notice includes a statement that, if the voter fails to submit to the registrar a written, signed response confirming the voter's current residence on or before the 30th day after the date the confirmation notice is mailed, the voter will have to submit a statement of residence (SOR) before the voter may be accepted for voting. The notice also warns the voter that the voter's registration is subject to cancellation if the voter fails to confirm the voter's current residence by November 30 following the second general election for state and county officers that occurs after the date the confirmation notice is mailed.

Congress: The U.S. Congress, which makes the country's laws, is divided into the Senate and the House of Representatives. There are 100 Senators (2 from each state) and 435 members of the House of Representatives (Representatives are divided by population among the states, with each state having at least 1 representative).

Congressional District: An area within a state from which a member of the House of Representatives is elected. Seats (positions) in the House of Representatives are reapportioned every 10 years; since the number of Representatives is set to 435, some areas lose Representatives and others gain some. Texas currently has 36 Congressional districts.

Consolidated Election Precinct – County Election: In a special election for which use of county election precincts is required, the commissioners court may consolidate, on the recommendation of the county election board, two or more county election precincts into a single precinct if the polling place is located so it will adequately serve the voters of the consolidated precinct; at least one consolidated precinct must be situated wholly within each commissioners precinct. With a consolidated precinct, essentially the county election precincts become a single larger precinct; the precinct results are reported by the consolidated precinct rather than for each individual precinct, and only one set of paperwork is kept for the entire consolidated precinct.

Consolidated Election Precinct – Primary Election: The county executive committee of a political party holding a primary election may order two or more county election precincts consolidated into a single precinct, if the polling place is located so it will adequately serve the voters of the consolidated precinct.

Convention: An official meeting of the delegates of a political party at which the delegates decide upon their party platform and take other party-related actions.

Corrected Ballot: To make a necessary correction on the ballot, the authority responsible for having the official ballot prepared may prepare new ballots, line out or otherwise obscure the language being corrected (and enter in printed form the correct language next to the language being corrected, if necessary), or prepare printed or blank correction stickers to be affixed to the ballots.

County Clerk: Administers elections at the county level, unless that county has an Elections Administrator.

County Election Board: The board established in each county for the general election for state and county officers, a special election for an officer regularly elected at the general election, and any other election ordered by a county authority or held at county expense. In the general election for state and county officers and for a special election for an officer regularly elected at the general election, the board consists of the county judge, county clerk (or EA, if applicable), voter registrar (VR), sheriff, and county chair of each political party required to nominate candidates by primary election. In other elections, the board consists of the county judge, county clerk, voter registrar, and sheriff. Duties of the county election board include: 1) reviewing and approving the selection of election supplies by the county clerk or elections administrator (In an election ordered by the governor or county authority); 2) appointing the early voting ballot board for the general election for

state and county officers; 3) appointing the Signature Verification Committee; and 4) recommending consolidation of precincts in special elections that require use of county election precincts. The county clerk (or EA) is the chair of the county election board.

County Election Commission: The group that appoints, monitors, and may fire a county Elections Administrator (EA). Board membership is composed of the county judge, county clerk, county tax assessor-collector, and the county chair of each political party. Given the role of the board, the county clerk is not replaced by the EA once an EA is appointed (unlike with the County Election Board).

County Election Precinct: The county commissioner's court divides all territory of the county into county election precincts; each precinct must not contain territory from more than one county commissioner's precinct, justice precinct, congressional district, state representative district, state senatorial district, or state board of education district. The precincts must be compact and contiguous. A voter is registered in the county election precinct that contains the voter's residence address. Each election precinct established for an election shall be served by a single polling place located within the boundary of the precinct. In elections other than the general election for state and county officers, and with certain limitations, county election precincts may be combined or consolidated so that multiple precincts vote at a single polling location.

County Office: An office of the county government that is voted on countywide or from a portion of the county such as a commissioner, justice, or constable precinct.

Countywide Polling Place Program: Also referred to as Vote Centers. A polling place system in which the county election precinct polling places are eliminated and instead any registered voter eligible to vote in the county-run election may vote at any polling place open on election day; similar to the way an early voting polling place is used. A county must meet the following minimum requirements: (1) exclusive use of direct recording electronic (DRE) voting systems at all polling places; (2) implementation of a computerized voter registration list that allows instantaneous verification that a voter has not already voted at another polling place; and (3) if the county has not participated in one of the previous countywide election precinct programs, it must hold a public hearing to inform and solicit opinions from voters, minority organizations, and other interested parties. For an election held in the first year in which the county holds an election under the program, the total number of countywide polling places may not be less than 65% of the number of precinct polling places that would otherwise have been used in the last equivalent election. For subsequent elections, this number drops to 50%.

Cure Period: The period ending on the 6th day after election day (for most elections), during which a voter who voted provisionally due to failure to present one of the 7 acceptable ID's may go to the office of the voter registrar (or elections administrator, if applicable), and present one of the forms of acceptable ID, or documentation to support a disability exemption; or to execute in the presence of the voter registrar an affidavit stating the voter has a religious objection to being photographed or that the voter does not have any identification meeting the requirements of Section 63.001(b) as a result of a natural disaster that occurred not earlier than 45 days before the date the ballot was cast.

Custodian of Election Records: The individual responsible for maintaining for the required retention period the records from an election. In an election ordered by the governor, a county authority, or

the primary election, this is the county clerk/elections administrator. For a city, it is the city secretary; for all other elections, it is the secretary of the political subdivision's governing body (or of no secretary, then to governing body's presiding officer).

Declaration of Write-in Candidate: To be entitled to a place on the list of write-in candidates, a candidate must make a declaration of write-in candidacy and file it with the authority with whom an application for a place on the ballot is filed.

Direct Recording Electronic Voting Machine/DRE: A voting machine that is designed to allow a direct vote on the machine by the manual touch of a screen, monitor, wheel, or other device and that records the individual votes and vote totals electronically.

Disability Exemption: An exemption to the requirement that a voter show one of the 7 acceptable ID's before voting a regular ballot. Voters with a disability may apply with the county voter registrar for this permanent exemption. The application must contain written documentation from either the U.S. Social Security Administration evidencing he or she has been determined to have a disability, or from the U.S. Department of Veterans Affairs evidencing a disability rating of at least 50 percent. In addition, the applicant must state that he or she has no valid form of photo identification. Those who obtain a disability exemption will be allowed to vote by presenting a voter registration certificate reflecting the exemption [shown as (E) on the VR certificate].

Disaster Exemption: A voter who does not have any valid form of photo identification as a result of certain natural disasters as declared by the President of the United States or the Texas Governor may vote a provisional ballot, appear at the voter registrar's office within six (6) calendar days after election day, and sign an affidavit swearing to the natural disaster. This will allow the voter's provisional ballot to be counted as long as the voter is otherwise eligible to vote.

District Office: An office of the federal or state government that is not voted on statewide.

Duplicate Ballot: A ballot substituted for a damaged or partially invalid optical scan ballot; each duplicate ballot must be clearly labeled "duplicate" and must bear the serial number of the original ballot.

Early Voting Ballot Board: An early voting ballot board must be created in each election to process early voting results from the territory served by the early voting clerk.

Early Voting by Mail. A person who will be absent during the period of early voting in person and on election day, who will be 65 or older on election day, is disabled, or imprisoned may choose to vote by mail by timely submitting an application for a ballot by mail to the early voting clerk for the election.

Early Voting Clerk: The early voting clerk shall conduct the early voting in each election. The clerk is an officer of the election in which the clerk serves. Generally speaking, the clerk has the same duties and authority with respect to early voting as a presiding election judge has with respect to regular voting. The early voting clerk for a county election is the county clerk (or elections administrator), for city elections it is the city secretary, and for other political subdivisions, it is a person appointed by the governing body of the political subdivision who meets certain requirements.

Early Voting in Person/Early Voting by Personal Appearance: Voting conducted in person before the date of the election. Early voting in person begins for most elections the 17th day before election day and runs until the 4th day before election day. Early voting for the May uniform election date and any subsequent runoff election begins on the 12th day before election day through the 4th day before election day.

Early Voting Roster: The early voting clerk maintains for each election a roster listing each person who votes an early voting ballot by personal appearance and a roster listing each person to whom an early voting ballot to be voted by mail is sent.

Elections Administrator (EA): An appointed official who performs the election duties of the county clerk and the voter registrar.

Election Assistance Commission (EAC): Established by the Help America Vote Act of 2002, the Election Assistance Commission serves primarily as a national clearinghouse and resource for information on elections. It also reviews federal election administration and procedures.

Election Clerk: Individuals appointed by the presiding judge to assist in running the election. The presiding judge shall designate the working hours of and assign the duties to be performed by the election clerks serving under the judge.

Election Contest: An action in civil court to contest the result of an election. The tribunal hearing an election contest attempts to ascertain whether the outcome of the contested election, as shown by the final canvass, is not the true outcome because: (1) illegal votes were counted; or (2) an election officer or other person officially involved in the administration of the election: (A) prevented eligible voters from voting; (B) failed to count legal votes; or (C) engaged in other fraud or illegal conduct or made a mistake. The result of a “successful” election contest is that the court by order will state a new result for the election, or order a new election to be held.

Election (Day) Precinct: The phrase commonly used to refer to the area served on election day by a single polling place. It could be a single county election precinct, combined county election precincts, or consolidated county election precincts (counties); or the precincts created by a local authority (May elections). Contrast “county election precinct.”

Electioneering: A person commits an offense if, during the voting period and within 100 feet of an outside door through which a voter may enter the building in which a polling place is located, the person loiters or electioneers for or against any candidate, measure, or political party. The term electioneering includes the posting, use, or distribution of political signs or literature. Electioneering within the prohibited distance and time period is a Class C misdemeanor.

Election Identification Certificate (EIC): A form of identification issued by the department of public safety to individuals who do not already have an acceptable form of photo identification to present when voting. To qualify for an EIC, an applicant must be a U.S. citizen, a Texas resident, eligible to vote in Texas (show VR certificate or submit VR application when applying for the EIC), and be 17 years and 10 months or older.

Election Judge: Also, “Presiding Election Judge” or “Presiding Judge.” The presiding judge is in charge of and responsible for the management and conduct of the election at the polling place of the election precinct that the judge serves.

Election Night Returns: Unofficial vote totals reported by local election officials to the Secretary of State on election night. On completion of the vote count, the presiding judge shall prepare the returns of the election for the precinct, which must state: (1) the total number of voters who voted at the polling place as indicated by the poll list; and (2) the total number of votes counted for each candidate and for and against each measure.

Electoral College: The president and vice president are selected through the electoral college system, which gives each state the same number of electoral votes as it has members of Congress. The Electoral College is composed of delegates from each state (plus the District of Columbia). (The number of delegates from each state is equal to the sum of that state's U.S. Senators plus U.S. Representatives.) According to the U.S. Constitution, the electors (chosen by popular vote) assemble in their respective state capitals on the first Monday after the second Wednesday in December and vote for president. Electors are supposed to vote for the candidate who received a plurality of votes in the state or area they represent. To become president, a candidate must get more than half of the Electoral College votes (270 out of 538 votes).

Electronic Voting System: A voting system in which the ballots are automatically counted and the results automatically tabulated by use of electronically operated apparatus; i.e., a method of voting using either optical scan ballots (which are counted either at the precinct using a precinct ballot counter or at the central counting station using tabulator machines) or Direct Recording Electronic voting machines.

Envelope Nos. 1, 2, 3 & 4. Four envelopes shall be furnished to each polling place for use in assembling and distributing the precinct election records; the envelopes shall be labeled and addressed as follows: (1) “Envelope No. 1,” addressed to the presiding officer of the local canvassing authority; (2) “Envelope No. 2,” addressed to the general custodian of election records; (3) “Envelope No. 3,” addressed to the presiding judge; and (4) “Envelope No. 4,” addressed to the voter registrar. Envelope No. 1 must contain: (1) the original of the election returns for the precinct; and (2) a tally list (for paper ballots counted at the precinct only). Envelope No. 2 must contain: (1) a copy of the precinct returns; (2) a tally list (for paper ballots counted at the precinct only); (3) the original of the poll list; (4) the signature roster; (5) the precinct early voting list; (6) any affidavits completed at the polling place except affidavits required to be placed in envelope no. 4; and (7) any certificates of appointment of watchers. Envelope No. 3 must contain: (1) a copy of the precinct returns; (2) a copy of the poll list; and (3) a copy of the ballot register. Envelope No. 4 must contain: (1) the precinct list of registered voters; (2) the registration correction list; (3) any statements of residence; and (4) any affidavits executed under Section 63.006 (voter with ID and VR certificate but not on list). Note, provisional ballot affidavits/envelopes should not be put in envelope No. 4 but should be kept in a secured location while at the polling place and being transferred to the central counting station or voter registrar.

Exit Poll: An informal poll taken as people leave the polling place. Exit polls are used to predict the outcome of the election or gather other information before the polls are closed. The policy of the SOS is to permit non-disruptive exit polling within the 100 foot boundaries surrounding each early voting and election day polling place.

Federal Election: An election involving a federal office (or multiple federal offices).

Federal Election Commission (FEC): Independent regulatory agency charged with administering and enforcing federal campaign finance law. The FEC consists of six commissioners appointed by the president with the advice and consent of the Senate. The FEC was established by the 1974 amendment to the Federal Election Campaign Act of 1971.

Filing Authority: The person with whom an application for a place on the ballot or a declaration of write-in candidacy must be filed. For political subdivisions other than a county and a city, the secretary of the governing body is the filing authority. For cities, it is the city secretary. For county level offices appearing on the primary election ballot, it is the party county chair. For district and state offices appearing on the primary election ballot, it is the state party chair. For independent or write-in candidates for county level offices, it is the county judge. For independent or write-in candidates for district and state offices, it is the SOS.

Final Canvass (see also, Canvass): The canvass from which the official result of an election is determined.

FPCA: Federal Postcard Application – a person is eligible for early voting by FPCA if: (1) the person is qualified to vote in this state or, if not registered to vote in this state, would be qualified if registered; and (2) the person is: (A) a member of the armed forces of the United States, or the spouse or a dependent of a member; (B) a member of the merchant marine of the United States, or the spouse or a dependent of a member; or (C) domiciled in this state but temporarily living outside the territorial limits of the United States and the District of Columbia.

General Election: As used when applied to political subdivisions other than counties, the regularly-scheduled election to fill the full terms of a political subdivision's governing body; held on a uniform election date (second Saturday on May or first Tuesday after first Monday in November).

General Election for State and County Officers: The general election at which officers of the federal, state, and county governments are elected; held on the first Tuesday after the first Monday on November of each even-numbered year.

General Law City: In Texas there are two main types of cities – general law and home rule (charter) cities. Of the general law cities, which operate under the general laws of the state (e.g., the Texas Local Government Code), there are three main categories – Type A, Type B, and Type C. A Type A city has a population of at least 600, and its city council members serve terms of 2-4 years. A Type B city has a population of 200 – 9,999, and its officers serve terms of 1 – 4 years. A Type C city has a population of 201-4,999, and its officers serve terms of 2-4 years. Each city has specific vacancy-filling procedures. Art XVI, Sec. 11 of the Texas Constitution applies to vacancies in office if the terms are longer than 2 years.

Governing Body: The term used to describe the group of individuals elected to formulate the policy and direct the affairs of a political subdivision. Examples include a city council, school board, water district board of directors, etc.

Gubernatorial General Election: The general election held every four years to elect a governor for a full term.

Hatch Act: The Hatch Act places restrictions on political activity by employees of the executive branch of the U.S. federal government, District of Columbia government, and state and local employees who work in connection with federally funded programs. Under the act, employees are permitted to contribute to a candidate’s campaign, but are restricted from using official authority to influence an election, including soliciting or receiving political contributions and engaging in political activity — including wearing or displaying political promotional materials — while on duty. Employees covered by the Hatch Act may run for office in a nonpartisan election, such as many school board elections, but are prohibited from running in a partisan election.

Help America Vote Act (HAVA): Congress passed HAVA to address voting problems encountered in the 2000 presidential election. The act encourages state and local governments to eliminate punch-card and lever voting machines. Under HAVA, states have received \$2.9 billion since 2003 to improve their election processes. The law also established the Election Assistance Commission to provide support to the administration of federal elections, as well as election laws and programs.

High School Deputy Registrars: Each principal of a public or private high school or the principal's designee shall serve as a deputy registrar for the county in which the school is located.

Holdover Provision (Article XVI, Section 17, Texas Constitution): “All officers within this State shall continue to perform the duties of their offices until their successors shall be duly qualified.”

Home Rule City: As contrasted with a General Law City, a home rule city is governed by its charter (in addition to the general laws of the state, though a charter will supersede the general laws in various instances). The population of a home rule city is more than 5000, the terms of office are 2-4 years, and vacancies are filled pursuant to the city’s charter (unless Art. XI, Sec 11, Texas Constitution applies).

Incumbent: A person who is currently in office.

Indelible Marker: A pencil or other writing device whose lead or ink cannot be easily or completely erased; a “No. 2” pencil is not an indelible marker and should not be used by voters to mark their ballots.

Independent Candidate: A candidate in a nonpartisan election or a candidate in a partisan election who is not the nominee of a political party.

Key to Ballot Box No.3: The key(s) to the ballot box(es) used during early voting by personal appearance. The presiding judge shall deliver the key to ballot box No. 3 to the sheriff, for an election ordered by the governor or a county authority or for a primary election (with certain exceptions); to the chief of police or city marshal, for an election ordered by a city authority; or the constable of the justice precinct in which the office of the political subdivision's governing body is located, or if the office of constable is vacant, the sheriff of the county in which the governing body's office is located, for an election ordered by an authority of a political subdivision other than a county or city.

Law: As used in the Texas Election Code, means a constitution, statute, city charter, or city ordinance.

Legal State or National Holiday: If the last day for performance of an act is a Saturday, Sunday, or legal state or national holiday, an act required under the Election Code is timely if performed on the next regular business day, (except as otherwise provided by the Code). **State legal holidays, per Secs. 662.003 and 662.021, Government Code, are:** New Year's Day, January 1; Martin Luther King, Jr., Day, third Monday in January; Confederate Heroes Day, January 19; Presidents' Day, third Monday in February; Texas Independence Day, March 2; San Jacinto Day, April 21; Memorial Day, last Monday in May; Emancipation Day in Texas, June 19; Independence Day, July 4; Lyndon Baines Johnson Day, August 27; Labor Day, first Monday in September; Veterans Day, November 11; Thanksgiving Day, fourth Thursday in November; the Friday after Thanksgiving Day; and Christmas Day, December 25. **National legal holidays, per 5 U.S.C. Sec. 6103, are:** New Year's Day, January 1; Birthday of Martin Luther King, Jr., third Monday in January; Washington's Birthday, third Monday in February; Memorial Day, last Monday in May; Independence Day, July 4; Labor Day, first Monday in September; Columbus Day, second Monday in October; Veterans Day, November 11; Thanksgiving Day, fourth Thursday in November; Christmas Day, December 25.

Limited Ballot: A ballot voted that is restricted to the offices and propositions stating measures on which a person is entitled to vote.

Local Canvass: The canvass of the precinct election returns.

Local Election Register: Maintained for each local canvassing authority, it contains in tabulated form the total number of votes received in each precinct for each candidate and/or measure and the sum of those precinct vote totals. Also contains the total number of voters who cast a ballot. Preserved as a permanent record by the custodian of the election records.

Main Early Voting Polling Place: The main location used to vote early in person; also used for other early voting activities such as late voting by a disabled voter or late voting due to a death in the family. It is usually housed in the early voting clerk's main place of business for a countywide or city election, unless use of that building is impracticable. In an election in which a person other than a county clerk or city secretary is early voting clerk, the authority appointing the clerk shall designate the location of the main early voting polling place; the location must be in the territory covered by the election.

Majority: More than 50%. If no candidate receives more than 50% of the vote in an election requiring a majority, then a runoff election is required between the top two vote getters.

Measure: A question or proposal submitted in an election for an expression of the voters' will.

Moot Measure: The action to be authorized by the voters may not be taken, regardless of the outcome of the election.

Motor-Voter Bill: Nickname for the National Voter Registration Act, a bill passed by Congress in 1993 that lets US citizens register to vote when they apply for a driver's license.

Nominee: A person selected by others to run for office is the nominee. Nominees may be selected in primary elections or conventions.

Notice of Election: One of various election-related notices; intended to inform the voting public about an upcoming election. The notice of a general or special election must state: (1) the nature and date of the election;(2) the location of each polling place; (3) the hours that the polls will be open; (4) The location of the main early voting polling place; (5) The regular dates and hours for early voting by personal appearance; (6) The dates and hours of any Saturday or Sunday early voting, if any; and (7) The early voting clerk’s mailing address. Other notices include notice of candidate filing deadline, notice of ballot drawing, notice of precinct convention time and place, etc.

Oath (or Affirmation) of Office: Pursuant to Art. XVI, Sec. 1, Texas Constitution, all elected and appointed officers, before they enter upon the duties of their offices shall take the following Oath or Affirmation: “I, _____, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of _____ of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.” The Oath must be taken AFTER the officer has subscribed to the Statement of Elected (or appointed) Officer. The Oath must be administered by someone authorized to administer an oath under Texas law. The most commonly-used person to administer oaths is a notary public. Additionally, Section 602.002 of the Texas Government Code authorizes all city secretaries to administer oaths for matters relating to city business. In a Type A general law city, the mayor may also administer the oath. Tex. Local Gov’t Code Ann. § 22.042. Other officials who may administer an oath include: a judge, retired judge, senior judge, clerk, or commissioner of a court of record; a justice of the peace or a clerk of a justice court; a legislator or retired legislator. (See Chapter 602, Government Code, for the complete list.)

Official Ballot: The vote in an election is by official ballot. If an official ballot is unavailable at a polling place, the presiding election judge shall provide an emergency or other ballot allowed by law.

Optical Scan Ballot: A ballot designed to be used in a voting system that uses an optical scanner to read the marked ballots, which are made of paper and marked by using an indelible marker to fill in an oval or arrow next to the candidates’ names or “for” or “against” a ballot measure.

Order of Election: The official action required by a governing body to hold a special election. Note that a general election must still be held even if the governing body fails to order the general election. Conversely, a special election may not be held without the governing body first ordering the election. Contents of the order of election include the date of the election and the offices or measures to be voted on at the election; the location of the main early voting polling place; branch early voting places (recommended); dates and hours for early voting (recommended for counties and cities, required for other entities); dates and hours of Saturday and Sunday voting, if applicable (recommended for counties and cities; required for other entities); and the early voting clerk’s mailing address.

Overvote: An overvote occurs when a voter votes for more than the maximum number of selections allowed in a contest. The result is that the voter’s vote in the overvoted race or referendum is not included in the final tally. One example of an overvote would be voting for two candidates in a single race in which only one candidate may be selected.

Paper Ballot: As used by the SOS elections division, this term refers to a ballot that is made of paper and meant to be hand counted; not an optical scan ballot that would normally be counted using a precinct ballot counter or a centralized tabulating machine.

Permanent Branch (Early Voting) Polling Place. In a countywide election in which the county clerk is the early voting clerk under Section 83.002, an early voting polling place shall be located at each branch office that is regularly maintained for conducting general clerical functions of the county clerk, unless a temporary branch location is established that effectively takes the place of a branch clerical office.

Petition in Lieu of Filing Fee: A petition circulated by a candidate to gather signatures in support of her candidacy; submitted along with an application for a place on the ballot instead of paying a filing fee. The number of signatures required on such a petition varies with the office sought.

Photo ID: To be presented by a voter when voting. Acceptable forms of ID include a Texas driver's license, a Texas DPS-issued personal identification card, a U.S. Passport book or card, a Texas DPS-issued concealed handgun license, a U.S. military ID with photo, or a U.S. Citizenship Certificate or Certificate of Naturalization with photo. With the exception of the U.S. citizenship documents, the ID must be unexpired or expired less than 60 days.

Plurality: Except as otherwise provided by law, to be elected to a public office, a candidate must receive a plurality of the votes. A plurality occurs when the votes received by a candidate are greater than those received by any opponent but can be less than a majority of the total vote. For example, if one candidate receives 30 percent of the votes, a second candidate also receives 30 percent and a third receives 40 percent, the third candidate could win the election by a plurality of the votes.

Political Action Committee (PAC): PAC's are political groups that are not formally related to a particular political party, but are associated with other groups (like labor unions, corporations, etc.). PAC's try to influence elections and candidates by giving money to them so that they can later have laws passed that would favor their group.

Political Party: An organized group of people with common values and goals, who try to get their candidates elected to office. The Democrats and the Republicans are the two major political parties in the USA today. Other political parties with ballot access in Texas include the Green Party and the Libertarian Party.

Political Subdivision: A county, city, or school district or any other governmental entity that: embraces a geographic area with a defined boundary; exists for the purpose of discharging functions of government; and possesses authority for subordinate self-government through officers selected by it.

Polling Place: The room or building in which voting is being conducted. The governing body of each political subdivision authorized to hold elections shall designate the location of the polling place for each of its election precincts; all polling places used in Texas must be accessible to voters with disabilities.

Poll Watcher: A person appointed by a candidate or political action committee to observe the conduct of an election on behalf of a candidate, a political party, or the proponents or opponents of a measure.

Popular Vote: The result of the votes of the eligible voters. The winner of the popular vote usually wins the election (but not always - sometimes the outcome of the vote of the Electoral College is different).

Precinct: See County Election Precinct and Election Day precinct.

Preclearance Submissions: NOT CURRENTLY REQUIRED in TEXAS –Section 5 of the Voting Rights Act provides that preclearance may be obtained by submitting the change to the U.S Department of Justice or from the United States District Court for the District of Columbia. 42 U.S.C. 1973c. Previously, any change with respect to voting in a covered jurisdiction -- or any political subunit within it – could not legally be enforced unless and until the jurisdiction first obtains preclearance. However, on June 25, 2013, the United States Supreme Court held that the coverage formula in Section 4(b) of the Voting Rights Act, 42 U.S.C. 1973b(b), as reauthorized by the Voting Rights Act Reauthorization and Amendments Act of 2006, is unconstitutional and can no longer be used as a basis for subjecting jurisdictions to preclearance under Section 5 of the Voting Rights Act. Until Congress passes a law containing a new coverage formula, no states or political subdivisions are covered by Section 5.

Presidential Primary Election: An election at which a political party's voters are given an opportunity to express their preferences for the party's presidential candidates, for the purpose of determining the allocation of the party's delegates from this state to the party's national presidential nominating convention.

Primary Election: An election held by a political party under Chapter 172 of the Texas Election Code to select its nominees for public office, and, unless the context indicates otherwise, the term includes a presidential primary election. The winning candidates from each party will later go up against each other in the general election. A primary may be either "open" — allowing any registered voter in a state to vote for a candidate to represent a political party, or "closed" — allowing only registered voters who belong to a particular political party to vote for a candidate from that party. Texas has an open primary, but voters affiliate with a political party by voting in that party's primary.

Proposition: The wording appearing on a ballot to identify a measure.

Provisional Ballot Affidavit: The provisional ballot affidavit is completed by a voter who is voting provisionally; the affidavit is a part of the provisional ballot envelope. The affidavit states that the individual is a registered voter of the political subdivision and in the precinct in which he is attempting to vote, did not already cast a ballot in the election, and is eligible to vote in the election.

Provisional Ballot Envelope: Contains the provisional ballot affidavit and other required information, such as spaces for type and date of election, precinct number, the voter's name, residence and mailing addresses, driver's license/personal ID or last 4 digits of social security number (or a statement that voter has neither of these numbers), and an affirmation the voter is a US citizen. The envelope includes space for the election judge to indicate why the voter is voting provisionally and for the judge's signature, as well as a section to be completed by the voter registrar upon that person's post-election review of the voter's registration status. The voter completes the affidavit, marks the provisional ballot, and places the provisional ballot in the envelope (unless the voter is voting electronically, in which case a slip with the DRE ballot serial number is placed on the envelope

or the ballot number is noted on the outside of the envelope in a location designated for that purpose).

Provisional Voting: Process available to a person whose name does not appear on the list of registered voters and who does not present a valid voter registration certificate, or who does not present any form of photo identification at the polls. Provisional voters are qualified and counted after election day.

Qualified Voter: A person who: (1) is 18 years of age or older; (2) is a United States citizen; (3) has not been determined mentally incompetent by a final judgment of a court; (4) has not been finally convicted of a felony or, if so convicted, has: fully discharged the person's sentence, including any term of incarceration, parole, or supervision, or completed a period of probation ordered by any court, or been pardoned or otherwise released from the resulting disability to vote; (5) is a resident of this state; and (6) is a registered voter.

Recount: The process conducted under Title 13 of the Election Code for verifying the vote count in an election.

Recount Representative: An individual selected by a candidate or other interested party to observe the performance of the recount; similar to a poll watcher.

Redistricting: A process in which the physical boundaries of a voting district are changed.

Registered Voter: A person registered to vote in this state whose registration is effective.

Registration Omissions List: The new version of this list, created pursuant to Section 86.003 of the Election Code, is used when a person has one of the acceptable ID's [or an exemption, shown as (E) on the voter registration certificate], presents a voter registration certificate, and is accepted for voting but his/her name is not on the list of registered voters or supplemental list of registered voters.

Religious Exemption: A voter who has a consistent religious objection to being photographed may vote a provisional ballot, appear at the voter registrar's office within six (6) calendar days after election day, and sign an affidavit swearing to the religious objection. This will allow the voter's provisional ballot to be counted as long as the voter is otherwise eligible to vote.

Residence Address: The street address and any apartment number, or the address at which mail is received if the residence has no address, and the city, state, and zip code that correspond to a person's residence.

Resign to Run Provision (Article XVI, Section 65, Texas Constitution): Applies to municipal officers whose terms are longer than 2 years and to District Clerks, County Clerks, County Judges, Judges of the County Courts at Law, County Criminal Courts, County Probate Courts and County Domestic Relations Courts, County Treasurers, Criminal District Attorneys, County Surveyors, County Commissioners, Justices of the Peace, Sheriffs, Assessors and Collectors of Taxes, District Attorneys, County Attorneys, Public Weighers, and Constables. If any of those officers announce their candidacy or in fact become a candidate, in any General, Special or Primary Election, for any office of profit or trust under the laws of this State or the United States other than the office then held, at any time

when the unexpired term of the office then held shall exceed one year and 30 days, such announcement or such candidacy shall constitute an automatic resignation of the office then held, and the vacancy thereby created shall be filled pursuant to law in the same manner as other vacancies for such office are filled.

Retention Period: Generally speaking, the precinct election records must be preserved by the authority to whom they are distributed: (1) in an election involving a federal office, for at least 22 months after election day in accordance with federal law; or (2) in an election not involving a federal office, for at least six months after election day. Some records, including the local election register, are kept permanently.

Runoff Election: An election held if no candidate for a particular office receives the vote necessary to be elected in an election requiring a majority vote. Contrast “Second Election.”

Sample ballot: A ballot created for distribution to voters who request one in order to view what offices and propositions are on the ballot in an upcoming election. The sample ballots must be printed on yellow paper, with “SAMPLE BALLOT” printed in large letters at the top of each sample ballot. A sample ballot may not be cast or counted in an election.

Second Election: In an election requiring a plurality vote, if two or more candidates for the same office tie for the number of votes required to be elected, and the tie is not or cannot be resolved through other means (recount, casting lots, etc.), a second election must be held. Contrast “Runoff Election.”

Single-Member District: A district within a larger political subdivision, such as a city or school district, from which a single individual is elected to represent the constituents of that district rather than representing the political subdivision at large.

Special Election: Any election that is not a general election or a primary election. Examples include a local option liquor election, bond election, bingo election, special election to fill a vacancy in office, stock law election, tax rollback election, etc. Most but not all must be held on a uniform election; see source law for information.

Special Law District: A district created and governed by an act of the legislature; see the Special District Local Laws Code online. Also subject to the general laws of the state, but the special law will supersede the general law in various instances. Examples of such districts include specific county hospital districts, management districts, improvement districts, navigation districts, water supply districts, municipal utility districts, etc.

Specimen Ballot: An official ballot made available for public inspection; an official ballot for each ballot format used in each election must be designated a specimen ballot and be made available for public inspection. A specimen ballot must be clearly marked with the word “SPECIMEN” and may not be reproduced for distribution or used by a voter for voting.

State Inspectors: An individual appointed and trained by the SOS to observe election activities. A state inspector is entitled to be present at and observe any function or activity at a polling place, central counting station, place of canvass, or other place at which official election or voter registration functions or activities take place. An inspector may take reasonable steps to obtain

evidence of the manner in which a function or activity is being performed. The SOS may send a state inspector under its own authority but also will send an inspector to specific sites when petitioned to do so by 15 registered voters of a political subdivision holding an election (request must be received by the SOS 4 business days before election day).

Statement of Elected or Appointed Officer: Pursuant to Art XVI, Sec. 1(b), Texas Constitution, all elected or appointed officers, before taking the Oath or Affirmation of office and entering upon the duties of office, shall subscribe to the following statement: "I, _____, do solemnly swear (or affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be, so help me God."

Statement of Residence (SOR): Before voter who is otherwise qualified to vote will be accepted for voting, he/she must complete a statement of residence ("SOR") if: 1) there is an "S" notation next to voter's name on the list of registered voters and voter still resides in the county where registered; or 2) If the voter responds in the negative to the question, "Is the residence address in the list of registered voters still your correct address," but still resides in the county of registration.

Statewide Office: An office of the federal or state government that is voted on statewide.

Straight-Party Vote: A vote by a single mark, selection, or other action by the voter for all the nominees of one political party.

Substantially Similar: A voter's name as listed on the photo ID the voter presents for voting is considered substantially similar to the form of the name as listed on the list of registered voters if one or more of the following circumstances applies: 1) The name on the ID is slightly different from one or more of the name fields on the official list of registered voters; 2) The name on the voter's ID or on list of registered voters is a customary variation of the voter's formal name (for example, Bill for William, or Beto for Alberto); 3) the voter's name contains an initial, middle name, or former name that is either not on the official list of registered voters or on the voter's ID; 4) a first name, middle name, former name or initial of the voter's name occupies a different field on the presented ID document than it does on the list of registered votes. In considering whether a name is substantially similar, election officials will also look at whether information on the presented ID matches elements of the voter's information on the official list of registered voters such as the voter's residence address or date of birth.

Suspense List/S-List: The list maintained by the county voter registrar that contains the names of voters who fail to respond to a confirmation notice, whose registration certificate is returned to the voter registrar as undeliverable (when a renewed certificate is sent to the voter), or who appears on the list provided to the registrar by a county or district clerk because the person was excused or disqualified from jury duty due to being a nonresident of the county. The list is arranged alphabetically by voter name and for each voter must contain the voter's name, residence address (with some exceptions for certain judges and their spouses), date of birth, registration number, and date the name is entered on the list. The names are grouped according to county election precincts. A voter on the S-List must complete a Statement of Residence (SOR) before being allowed to vote.

Tabulation: The action of creating a chart or table showing the votes cast in a given precinct for the candidates and for or against propositions voted on in that precinct; also the table showing the results from each precinct for each candidate and for and against each proposition in the political subdivision as a whole. Also refers to the process of adding up the numbers that are put in the chart or table.

Tally List: A document used to record the votes for candidates and for or against measures to be voted on in a given precinct. When tallying, one member of the counting team shall examine each ballot and clearly announce the name of each candidate for whom a vote has been received or whether a vote has been received for or against a measure. The other members of the counting team shall record the votes on the tally lists as they are announced. Three original tally lists shall be maintained at the polling place to record the number of votes received for the candidates and for and against the measures voted on.

Temporary Branch (Early Voting) Polling Place: One or more early voting polling places other than the main early voting polling place may be established by (1) the commissioners court, for an election in which the county clerk is the early voting clerk; or (2) the governing body of the political subdivision served by the authority ordering the election, for an election in which a person other than the county clerk is the early voting clerk. With some exceptions, a temporary branch polling may be located at any place in the territory served by the early voting clerk and may be located in any stationary structure as directed by the authority establishing the branch office (special rules exist for the location of the temporary locations in the primary election, the general election for state and county officers, or a special election to fill a vacancy in the legislature or in congress). Voting may be held in a movable structure under certain limited circumstances.

Territory: As used in voter registration or voting, the area within a political subdivision's legal limits; the metes and bounds of s district or political subdivision. Does not include extra-territorial jurisdiction.

Texas Administrative Code: A compilation of all state agency rules in Texas. The rules usually are put in place to clarify conflicting laws or to give procedural guidance on how comply with various aspects of state statutes. There are 16 titles in the TAC. Each title represents a subject category, and related agencies are assigned to the appropriate title. The section of the TAC that contains rules promulgated by the elections division of the SOS is in Title 1, Part 4, Chapter 81

Texas Legislature: The legislature is a bicameral (2 chamber) body composed of a 31-member Senate and a 150-member House of Representatives. The legislature is a lawmaking institution and possesses the traditional legislative power of the purse (to tax, spend, and borrow money for public purposes), and to organize and confer powers on the executive and the judiciary not otherwise provided for or prohibited in the Texas Constitution. The Texas Legislature meets at the Capitol in Austin, Texas.

Undervote: An undervote occurs when the number of choices selected by a voter in a contest is less than the maximum number allowed for that contest or when no selection is made for a single choice contest.

Unexpired Term: The remainder of a term filled by an officer elected by special election or appointed, after a vacancy has occurred in the office.

Uniform Election Date: With few exceptions, each general or special election in this state shall be held on one of the following dates: (1) the second Saturday in May; or (2) the first Tuesday after the first Monday in November. Sec. 41.001.

Vacancy: When the elected or appointed officer for a given office is unable or unwilling to continue serving throughout the entirety of the term and resigns from or otherwise leaves the office, this creates a vacancy. How a vacancy is filled (by election or appointment) depends upon several factors.

Volunteer Deputy Registrar: Volunteer Deputy Registrars are entrusted with the responsibility of officially registering voters in the State of Texas. They are appointed by county voter registrars and charged with helping increase voter registration in the state. They must attend a training session held by the county in which they wish to become a VDR and follow strict guidelines for registering voters.

Vote Center: See Countywide Polling Place Program.

Voter Registrar: The county tax assessor-collector is the voter registrar for the county unless the position of county elections administrator is created or the county clerk is designated as the voter registrar.

Voter Registration Certificate: Initial Registration Certificate, also referred to as a Voter Registration Card. After approval of a registration application, the registrar shall: (1) prepare a voter registration certificate in duplicate and issue the original certificate to the applicant; and (2) enter the applicant's county election precinct number and registration number on the applicant's registration application.

Voter Registration List: Original List of Registered Voters - Before the beginning of early voting for the first election held in a county in each voting year, the registrar shall prepare for each county election precinct a certified list of the registered voters in the precinct. The list must contain the name of each voter whose registration will be effective on the date of the first election held in the county in the voting year.

Voting Booth: A small enclosure in which a person votes.

Voting Machine: An apparatus on which voters cast their votes, that records each vote, and that furnishes a total of the number of votes cast for the candidates and for and against the measures.

Voting Station: The voting booth or other place where voters mark their ballots or otherwise indicate their votes at a polling place.

Voting System: A method of casting and processing votes that is designed to function wholly or partly by use of mechanical, electromechanical, or electronic apparatus and includes the procedures for casting and processing votes and the programs, operating manuals, tabulating cards, printouts, and other software necessary for the system's operation.

Voting System Ballot: A ballot designed for use with a voting system.

Voting System Certification: Before a voting system or voting system equipment may be used in an election, the system and a unit of the equipment must be approved by the secretary of state.

Voting System Equipment: Any kind of mechanical, electromechanical, or electronic apparatus for use in a voting system.

Voting Year: The 12-month period beginning January 1 of each year. See also Calendar Year.

VUID: Voter Unique Identification Number; i.e., a voter's voter registration number.

Ward: A district used in a general law city. Similar to a single-member district, except that in Texas, most municipalities that have a ward system elect two council members from each ward.

Water District: A political subdivision created by an act passed by the Texas Legislature, by the Texas Commission on Environmental Quality (TCEQ), or on the action of a county (usually after being petitioned to create the district). An election is usually held to confirm the creation of the district and to elect its board members. Governed primarily by its special law (if applicable) and by the Texas Water Code. Examples include a Groundwater Conservation District, a Municipal Utility District, Water Control and Improvement District, Drainage District, Irrigation District, Freshwater Supply District, etc.

Withdraw: When a candidate who has filed for a place on a ballot submits a signed, notarized document to the filing authority requesting that the candidate's name be omitted from the ballot. The withdrawal request must be timely filed; a withdrawal request filed after a given deadline or in any other way not in compliance with state law has no legal effect. Depending upon the timing of the withdrawal, the candidate's name may or may not be removed from the ballot.