

# Preparing Your Order and Notice

February 2024



# Who orders elections?

- General election for city officers in a city with a population of 1.9 million or more – Mayor
- Other elections: Governing body of political subdivision for entity holding election (e.g. city council)
- If the law providing for an election of a political subdivision does not designate the authority to order an election, it defaults to the governing body of the political subdivision.

(Section 3.004, Elections Code)



# Deadline to Order Election

- Uniform Election Date (May 4)
  - 78th day before the election – **Friday, February 16**
- Special Election to Fill Vacancy
  - 46th day before election – **Tuesday, March 19**

(Section 3.005, Elections Code)



# Contents of Order

- 1) Date of election;
- 2) Offices or measures to be voted on;
- 3) Location of the main early voting polling place (including the street address, room number, and building name);
- 4) Branch early voting polling places (*recommended*);
- 5) The dates and hours for early voting (*recommended for counties, required for other entities*);
- 6) The dates and hours of any Saturday and Sunday early voting (*recommended for counties, required for other entities*);
- 7) The early voting clerk's official mailing address; and
- 8) The early voting clerk's phone number, email address and Internet website (if the EV clerk has an Internet website) .

(Sections 3.006, 83.010, 85.004, & 85.007, Elections Code)

**Note:** For special election to fill a vacancy, the order must include the filing deadline (Section 201.054(c)).



# Contents of Order – Bond Elections

- 1) the proposition language that will appear on the ballot;
- 2) the purpose for which the debt obligations are to be authorized;
- 3) the principal amount of the debt obligations to be authorized;
- 4) that taxes sufficient to pay the principal of and interest on the debt obligations may be imposed;
- 5) a statement of the estimated tax rate if the debt obligations are authorized or of the maximum interest rate of the debt obligations or any series of the debt obligations, based on the market conditions at the time of the election order;
- 6) the maximum maturity date of the debt obligations to be authorized or that the debt obligations may be issued to mature over a specified number of years not to exceed the maximum number of years authorized by law;
- 7) the aggregate amount of the outstanding principal of the political subdivision's debt obligations as of the date the election is ordered;
- 8) the aggregate amount of the outstanding interest on debt obligations of the political subdivision as of the date the election is ordered, which may be based on the political subdivision's expectations relative to variable rate debt obligations; and
- 9) the ad valorem debt service tax rate for the political subdivision at the time the election is ordered, expressed as an amount per \$100 valuation of taxable property.

(Section 3.009, Elections Code)





# Notice of Election – Responsibility

- Ordered by the Governor: the County Judge
- Ordered by Political Subdivisions: presiding officer of the Governing Body of the Political Subdivision
- For all others: the authority ordering the election.

(Section 4.002, Elections Code)



# Notice of Election – Important Dates

- At least once
- Not earlier than the 30th day before election day
  - For May 4 General Election: Thursday, April 4
- Not later than the 10th day before election day
  - For May 4 General Election: Wednesday, April 24

(Section 4.002(a)(1), Elections Code)



# Notice of Election – Methods

Any of the following four:

- Publication in newspaper;
- Posting a copy at a public place in each precinct;
  - By the 21st day before election day, or Saturday, April 13 for the May 4 General Election
- Mailing a copy of the notice to each registered voter of the territory;
  - By the 10th day before election day, or Wednesday, April 24 for the May 4 General Election
- Posting a copy of the notice on a bulletin.
  
- Entity's own website, if available (**REQUIRED**)

(Section 4.003, Elections Code)





## Notice of Election – Contents

- The type and date of the election
- The location of the main early voting polling place, **including the street address, room number, and building name. The notice must designate which location is the main early voting polling place;**
- The location of each polling place, **including the street address, room number, and building name;**
- The hours the polls will be open;
- The regular dates and hours for early voting by personal appearance;
- The dates and hours of any Saturday or Sunday early voting;
- The early voting clerk's official mailing address or street address at which the clerk may receive delivery by common or contract carrier, if different, phone number, e-mail address, and the Internet website, if the early voting clerk has an Internet website;
- We ***recommend*** that the information regarding branch early voting locations be included as part of your notice; and
- Any other information required by law.

\*If a special election, the notice must state each office to be filled or the proposition states each measure to be voted on



## Notice of Election – Record

- If publishing in newspaper, authority responsible must retain a copy of the published notice that contains the name of the newspaper and date of publication.
- If posted in public place, the person posting must make a record at the time of posting stating the date and place of posting. It shall be signed and delivered to the authority responsible.
- If mailed, the authority responsible must retain a copy of the notice and enter on the copy the date or dates the mailing occurred AND a list of the names and addressed to whom the notice was mailed.

(Section 4.005, Elections Code)



# Notice of Election

Failure to give notice does NOT affect the validity of the election!

(Section 4.006, Elections Code)



# Notice of Election – To County Clerk

- The governing body of a political subdivision (that is not a county) shall deliver notice of the election – including the location of each polling place – to the county clerk and voter registrar of each county in which the political subdivision is located not later than the 60th day before election day.
    - **For the May 4 General Election: Tuesday, March 5**
- (Section 4.008, Elections Code)



# Notice of Election – Internet Posting

A county providing election services for an election shall post on its website (if any):

1. the date of the election;
  2. the location of each polling place;
  3. each candidate for an elected office on the ballot; and
  4. each measure on the ballot.
- Done no later than the 21st day before election day (or Saturday, April 13 for the May 4 General Election)  
(Section 4.009(a), Elections Code)





# Notice of Election – Internet Posting – Cities & ISDs

A city or independent school district holding an election shall post on its website (if any):

1. the date of the election;
  2. the location of each polling place;
  3. each candidate for an elected office on the ballot; and
  4. each measure on the ballot.
- Done no later than the 21st day before election day (or Saturday, April 13 for the May 4 Uniform Election)  
(Section 4.009(a), Elections Code)



## Forms – Order of Election

- Form 1-2 – Order of General Election for Municipalities:
  - <https://www.sos.state.tx.us/elections/forms/pol-sub/1-2f.pdf>
- Form 1-3 – Order of General Election for Other Political Subdivisions:
  - <https://www.sos.state.tx.us/elections/forms/pol-sub/1-3f.pdf>
- Form 1-8 – Order of Special Election for Municipalities:
  - <https://www.sos.state.tx.us/elections/forms/pol-sub/1-8f.pdf>
- Form 1-9 – Order of Special Election for Other Political Subdivisions:
  - <https://www.sos.state.tx.us/elections/forms/pol-sub/1-9f.pdf>



## Forms – Notice of Election

- Form 1-14 – Notice of General Election for Municipalities:
  - <https://www.sos.state.tx.us/elections/forms/pol-sub/1-14f.pdf>
- Form 1-15 – Notice of General Election for Other Political Subdivisions:
  - <https://www.sos.state.tx.us/elections/forms/pol-sub/1-15f.pdf>
- Form 1-16 – Notice of Special Election for Municipalities & Other Political Subdivisions:
  - <https://www.sos.state.tx.us/elections/forms/pol-sub/1-16f.pdf>



# Resources

- May 4 Election and June 15 Runoff Election Calendar:
  - <https://www.sos.state.tx.us/elections/laws/advisory2023-25.shtml>
- Cancellation of an Election Guide
  - <https://www.sos.state.tx.us/elections/laws/cancellation.shtml>
- Forms Manual
  - <https://www.sos.state.tx.us/elections/forms/pol-sub/index.shtml>
- Conducting Elections Page
  - <https://www.sos.state.tx.us/elections/conducting/index.shtml>
- Candidate's Guide for Running for Local Offices
  - <https://www.sos.state.tx.us/elections/candidates/guide/2022/local.shtml>



## Remember!

- Take time to breathe
- One-step at a time
- You are doing great

