

Preparing for the May 7, 2022 Constitutional Amendment Election



Topics

- Required May Election for Counties
- Important Dates
- Consolidation
- No Duty to Contract
- Ballot Certification
- Ballot Preparation and Supplies
- ENR Required for May 2022 for CAs
- Canvass



- The Texas Legislature adopted two joint resolutions in the Second and Third Special Sessions. As a result, **there will be a statewide constitutional amendment election held on May 7, 2022**
- For the May 7, 2022 election, **all counties will be conducting a constitutional amendment election.**



Constitutional Amendments

- **SJR 2 (2nd C.S.) (Bettencourt):** “The constitutional amendment authorizing the legislature to provide for the reduction of the amount of a limitation on the total amount of ad valorem taxes that may be imposed for general elementary and secondary public school purposes on the residence homestead of a person who is elderly or disabled to reflect any statutory reduction from the preceding tax year in the maximum compressed rate of the maintenance and operations taxes imposed for those purposes on the homestead.”
- **SJR 2 (3rd C.S.) (Bettencourt):** “The constitutional amendment increasing the amount of the residence homestead exemption from ad valorem taxation for public school purposes from \$25,000 to \$40,000.”



Consolidation

- Counties are required to use County Election Precincts for May 2022 (Sec. 42.002)
- Elections of local political subdivisions are NOT required to use county election precincts if conducting the election on their own.
- **SOS recommendation:** The SOS strongly recommends that counties and local political subdivisions enter into joint election agreements or agree to share polling places for this May 7, 2022 election.



Consolidation

- Consolidation is allowed for this election. (42.008)
- 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.
- If county election precincts are consolidated for a countywide election, at least one consolidated precinct must be situated wholly within each commissioners precinct



No Duty to Contract

- Section 41.001(d) provides that counties do not have a duty to contract with local entities for elections held on the May Uniform Election Date in even-numbered years.
- Counties do not have to contract with local political subdivisions for this election, but can contract if they choose.
- **SOS Recommendation:** Counties and local political subdivisions enter into joint election agreements or agree to share polling places.



Order and Notice of Election

- **Order:** The constitutional amendment election is ordered by the governor. However, the commissioners court should also complete a local [order \(PDF\)](#) to ensure that all required actions related to the election have been completed.
- **Notice:** Your county may post notice of the election on the commissioners court bulletin board and must also provide notice under other authorized methods (Secs. 4.002(1), 4.003(a) and (b)).



Posting Requirements

- **Thursday, April 7, 2022:** Last day for the county clerk to post a full copy of all amendments to be voted on at the state constitutional amendment election. (Art. XVII, Sec. 1, Texas Constitution).



Ballot Preparation

- County election officer is responsible for preparing the ballot for an election ordered by governor or county authority.
- Order your supplies early! Nationwide paper shortages are making it difficult to obtain election envelopes and forms. Plan ahead!



Ballot Certification

- The Secretary of State conducts the drawing to determine the order of the constitutional amendment propositions on the ballot. [TEC, § 274.002]
- No later than the 50th day (**Monday, February 28, 2022**) before the election date, the Secretary of State shall certify to the county election officer the wording of the constitutional amendments and the number of each proposition. The certification will include the ballot order. [TEC, § 274.003]
- As a reminder, local political subdivisions cannot use numbers to identify their propositions, but instead must assign a unique letter of the alphabet to each local proposition that will appear on the ballot (Section 52.095, as amended).



ENR & Unofficial Results



Canvass

- Officially-canvassed returns for the state constitutional amendment election must be delivered by the county election officer to the Secretary of State within 24 hours of the canvass. (Sec. 67.007(d)).



Resources

- Materials from previous Constitutional Amendment Calendars
- May 7, 2022 Election Law Calendar



Questions?

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