



Guide to Hand-Counting Ballots



**Texas Secretary of State
Elections Division**

800-252-VOTE • 512-463-5650
sos.texas.gov • votetexas.gov

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INTRODUCTION

The Elections Division of the Office of the Secretary of State has developed this guide which outlines the process for hand-counting ballots. It includes changes to election laws through the Second Special Session of the 89th Texas Legislature (2025). Refer to the [Election Judges and Clerks Handbook](#) for comprehensive guidance on polling place procedures and answers to common questions

Throughout this guide, references are made to the appropriate section in the Texas Election Code, unless otherwise indicated.

The Elections Division of the Office of the Secretary of State is open during the hours that the polls are open for voting on all uniform election dates. Answers to questions on election law and procedures may be obtained by calling the Elections Division toll-free at 800-252-VOTE or 512-463-5650.

Visit sos.texas.gov, as well as votetexas.gov, for additional election information.

The Office of the Secretary of State does not discriminate on the basis of race, color, national origin, sex, religion, age, or disability in employment or the provision of services.



At-a-Glance

The poll worker will understand the process to close the polls when ballots are hand-counted	
<input type="checkbox"/>	Identify the process for final voters of the day.
<input type="checkbox"/>	Identify the preliminary procedure for hand-counted ballots.
<input type="checkbox"/>	Identify the counting procedure for hand-counted ballots.
<input type="checkbox"/>	Identify the rules for counting paper ballots.
<input type="checkbox"/>	Identify the process for closing a hand-counted ballot box.
<input type="checkbox"/>	Identify the process for preparing precinct returns.
<input type="checkbox"/>	Identify the process for closing the check-in stations.
<input type="checkbox"/>	Identify the process for closing the voting area.
<input type="checkbox"/>	Describe the distribution of election records.
<input type="checkbox"/>	Identify the process for securing the polling place.

The procedures followed at the polling place for tabulating ballots and preparing and distributing records will depend on how and where ballots are counted. The authority conducting the election will inform you what method of counting will be used for the election. This guide focuses on the traditional polling place setup where ballots are hand-counted at the polling place.

Precinct returns are generated at each polling place and early voting in person ballots and early voting by mail ballots are counted by the early voting ballot board. The returns are then delivered to the general custodian of election records and the unofficial tabulation of election results is generated.

Election judges should familiarize themselves with the [Election Day - Closing the Polling Place Checklist](#) (Form 7-30) prior to assigning certain parts of the checklist to each election clerk.



FINAL VOTERS OF THE DAY

Near closing time, check any hallways or surrounding areas for voters looking to vote. Once polls close, if voters are waiting to enter the polling place, the presiding judge must direct them to enter the polling place, if possible. If entry to the polling place is not possible, the presiding judge may distribute numbered identification cards to the waiting voters and allow entry only to those possessing a numbered card. If neither method is possible, an election clerk may stand at the end of the line to mark the last voter who is entitled to enter the polling place. Pleasantly, but firmly, turn away anyone who arrives after the last eligible voter. Lock the door once the last voter has voted and left the polling place.



Note: Do not take down or remove any signage until the last voter has voted. All legally required signage must remain posted in the designated places under the Texas Election Code.

[Secs. 33.060, 41.031(a), 41.032, 62.002, 65.015(a), 65.015(b), 66.053(c), 66.054, 172.1141, 127.1311]

***The following steps may be done simultaneously**

PRELIMINARY PROCEDURE FOR HAND-COUNTED BALLOTS

Follow instructions provided by the authority conducting the election regarding whether to set up voting equipment the day prior or the morning of opening the polling place. If you do not have instructions on how to set up the equipment or if you experience any technical issues, notify the election authority as soon as possible.

1. **The presiding judge may tell the counting officers to start counting ballots if it is after 8 a.m. and there are more than 10 ballots in the box containing voted ballots.**
 - a. If counting ballots has not yet started, it must start at 7 p.m. or when the polls close, whichever is later, and continue without interruption until all ballots are counted.
 - b. Each counting team must consist of at least two people.
 - c. Counting activities should occur in a separate area out of the sight and sound of voters if counting at a polling place while the polls are open. This is to prevent any disruptions to the voting process and to ensure results are not released until the polls officially close.¹

Reminder

From the time polls open for voting until the precinct returns have been certified, voting stations, ballot boxes, and ballots must be kept in plain view of one or more election officers. This continuous visual oversight ensures that voting materials remain secure, while officers conduct the counting process and other officers continue to assist voters.

¹ You may keep track of the number of ballots cast by noting on the Poll List when Ballot Boxes No. 1 and No. 2 are interchanged.



2. If counting begins while the polls are open, two ballot boxes must be used on a rotating basis. When one ballot box is delivered to the counting teams at the polling place, the other box must be made immediately available for the deposit of voted ballots by voters.
 - a. Before the ballot box is positioned for the receipt of marked ballots, an election officer must examine it, remove its contents, and lock the box.
3. Three original [tally lists](#) are required. The tally lists should be completely filled out and include the following:
 - a. Names and offices of candidates and/or propositions;
 - b. Date;
 - c. Precinct number;
 - d. Type of election;
 - e. Name of presiding judge; and
 - f. Signature of the person keeping the tally list.
4. Before the counting begins, Ballot Box No. 3 should be inspected to ensure that it is empty. It should then be locked and remain locked (except as authorized by the presiding judge) and within view of the counting officers.
5. No marks should be made on any ballot by an election officer, except that if a ballot is not counted, an election officer must indicate on the back of the ballot the reason for not counting it.
6. A member of a counting team may not be replaced after vote tallying is begun unless each existing discrepancy among the three tally lists is corrected before the replacement is made. If a counting officer is replaced on a counting team after the tallying is begun, the officer to be replaced must certify the accuracy of the list the officer has kept, as of the time of the replacement, by signing the list at that time.
7. Although additional clerks may be brought in to supplement or replace counting team members, there is no legal authority to replace the appointed presiding judge. Because the presiding judge must be present to resolve voter intent questions and sign the precinct returns, the presiding judge must be present throughout the entire counting process.
8. The presiding judge is responsible for resolving any ambiguous questions of voter intent.

[Secs. 61.005, 65.003, 65.009]



- After the completion of the count, each tallier will compute the total number of votes tallied on the member’s list and enter the totals on the tally list. After verifying that the three tally lists are in agreement, each counting officer must sign the tally list that the officer has kept.

[Secs. 64.008, 65.001, 65.002, 65.004, 65.005, 65.006, 65.008(b), 65.009, 65.010, 65.011, 65.012, 144.006, 146.002, 146.031(d), 146.054, 146.055, 146.082, 171.0231, 192.037; Secs. 11.056(c), 11.304, 130.081, 130.0825, Education Code; Sec. 285.131, Health and Safety Code; Secs. 326.0431, 326.0432, Local Government Code; Secs. 36.059, 49.101, 63.0945, Water Code; 1 T.A.C. Secs. 81.172—81.176]

Candidate/ Proposition Choice	5	10	15	20	25	30	35	40	45	50
Commissioner Precinct 1										
Candidate A	III									
Candidate B	III	III	III	III	III	II				
Write-In A	III									
Write-In B	II									
Undervotes	II									
Overvotes	I									

Figure 1: [Tally Sheet for Hand Count](#) (Form 11-6) Exemplar



The failure of a voter to mark his or her ballot in strict conformity with the law does not invalidate the ballot.

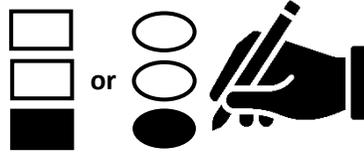


The failure of a voter to vote a full ballot does not invalidate the ballot.



RULES FOR COUNTING PAPER BALLOTS

The voter should mark his or her ballot by placing an “X” or darkening the shape to the left of each candidate, proposition, or party column for which he or she wishes to vote.



Rules for Counting/Not Counting Individual Votes

(asterisks indicate the candidates for whom the race is counted)

Rule 1

A vote **must be counted** if the intent of the voter is clearly ascertainable (see Figure 2).

Candidates for:	Party A	Party B	Party C	Independent	Write-In
First Office	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> _____
Second Office	<input checked="" type="checkbox"/> Candidate*	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> _____
Third Office	<input checked="" type="checkbox"/> Candidate*	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> _____
Fourth Office	<input checked="" type="checkbox"/> Candidate*		<input type="checkbox"/> Candidate		<input type="checkbox"/> _____

Figure 2: Illustration of scratch method where intent of voter is clearly ascertainable

Rule 2

An entire ballot **cannot be voided** if the intent of the voter can be determined for any one race or proposition (see Figure 3).

Candidates for:	Party A	Party B	Party C	Independent	Write-In
First Office	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> _____
Second Office	<input checked="" type="checkbox"/> Candidate*	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> _____
Third Office	<input type="checkbox"/> Candidate	<input checked="" type="checkbox"/> Candidate*	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> _____
Fourth Office	<input type="checkbox"/> Candidate		<input type="checkbox"/> Candidate		<input type="checkbox"/> _____

Figure 3: Illustration where intent of voter can be determined for at least one race or proposition on a ballot

Rule 3

An individual vote is **not counted** if the intent of the voter cannot be determined (see Figure 4).

<div style="border-bottom: 1px solid black; padding: 2px;">Vote for None or One</div> <div style="padding: 2px;"> <input type="checkbox"/> Candidate A <input checked="" type="checkbox"/> Candidate B <input type="checkbox"/> Candidate C </div>	<div style="border-bottom: 1px solid black; padding: 2px;">Vote for None or One</div> <div style="padding: 2px;"> <input type="checkbox"/> Candidate A <input checked="" type="checkbox"/> Candidate B <input type="checkbox"/> Candidate C </div>
--	--

Figure 4: Illustrations where intent of voter cannot be determined



Rule 4

An individual vote is **not counted** if the voter marked more than one candidate for one race, except in municipal, school board, or other political subdivision elections where it is possible to vote for more than one candidate in the same race (see Figure 5). A ballot is **not invalid** if the voter has marked fewer candidates than the number to be elected (see Figure 6).

Vote for None, One, Two, or Three	
<input checked="" type="checkbox"/>	Candidate A
<input checked="" type="checkbox"/>	Candidate B
<input checked="" type="checkbox"/>	Candidate C
<input checked="" type="checkbox"/>	Candidate D

Figure 5: Illustration of over-voting, by which voter has voted for more candidates than are to be elected

Vote for None, One, Two, or Three	
<input checked="" type="checkbox"/>	Candidate A*
<input type="checkbox"/>	Candidate B
<input checked="" type="checkbox"/>	Candidate C*
<input type="checkbox"/>	Candidate D

Figure 6: Illustration of under-voting, by which voter has voted for fewer candidates than are to be elected

Rule 5

An individual vote is **not counted** if the voter used a sticker or rubber stamp with the name of a write-in candidate printed or written on it (see Figure 7).

Vote for None or One	
<input type="checkbox"/>	Candidate A
<input type="checkbox"/>	Candidate B
<input checked="" type="checkbox"/>	<input type="text" value="Candidate"/>
	Write-in

Figure 7: Illustration of a sticker or rubber stamp with the name of a write-in candidate

Rule 6

An individual vote is **not counted** in a November general election, city council officer elections, an independent and common school district trustee election, special elections for state representative and state senator, or other elections where declaration of write-in is required and the voter writes in the name of a person whose name is not on the List of Declared Write-In Candidates (see Figure 8).

3-5 Prescribed by Secretary of State Sections 146.031, Texas Election Code 9/2023	Type of Election (Tipo de Elección) General	Polling Location (Lugar de Votación) All Polling Locations									
	Date of Election (Fecha de Elección) November 4, 2024	Authority Conducting the Election Autoridad Administrando la Elección Sample County									
	<p align="center">LIST OF DECLARED WRITE-IN CANDIDATES <i>LISTA DE CANDIDATOS DECLARADOS ELEGIBLES PARA RECIBIR VOTOS POR INSERCIÓN ESCRITA</i></p> <table border="1"> <thead> <tr> <th>Office Sought Cargo Oficial Solicitado</th> <th>Name of Candidate Nombre del Candidato</th> </tr> </thead> <tbody> <tr> <td>President/Vice-President</td> <td>Candidate A/B</td> </tr> <tr> <td>President/Vice-President</td> <td>Candidate C/D</td> </tr> <tr> <td>U.S. Senator</td> <td>Candidate E</td> </tr> <tr> <td>U.S. Senator</td> <td>Candidate F</td> </tr> </tbody> </table>		Office Sought Cargo Oficial Solicitado	Name of Candidate Nombre del Candidato	President/Vice-President	Candidate A/B	President/Vice-President	Candidate C/D	U.S. Senator	Candidate E	U.S. Senator
Office Sought Cargo Oficial Solicitado	Name of Candidate Nombre del Candidato										
President/Vice-President	Candidate A/B										
President/Vice-President	Candidate C/D										
U.S. Senator	Candidate E										
U.S. Senator	Candidate F										

Vote for None or One	
<input type="checkbox"/>	Candidate A/B
<input type="checkbox"/>	Candidate C/D
<input checked="" type="checkbox"/>	CANDIDATE H/I
	Write-in

Figure 8: Illustration where a voter wrote in the name of a person whose name is not on the List of Declared Write-In Candidates

Rule 7

An individual vote is **not counted** if it is a runoff election and a voter writes in any candidate's name (see Figure 9).

Vote for None or One	
<input type="checkbox"/>	Candidate A
<input type="checkbox"/>	Candidate B
<input checked="" type="checkbox"/>	X CANDIDATE

Figure 9: Illustration where a voter wrote in a candidate's name

Rule 8

An individual vote is **not counted** if the voter did not vote for both the presidential and vice-presidential candidate of the same party, except when the voter writes in the name of a declared write-in presidential candidate the vote must be counted even if the name of the corresponding vice-presidential candidate is not written in (see Figure 10).

Vote for None or One	
<input checked="" type="checkbox"/>	Candidate Candidate REP
<input type="checkbox"/>	Candidate/Candidate DEM
<input checked="" type="checkbox"/>	Candidate Candidate LIB
<input type="checkbox"/>	Candidate/Candidate GRN

Figure 10: Illustration where a voter did not vote for both the presidential and vice-presidential candidate of the same party



Rules for Counting/Not Counting Ballots
(asterisks indicate the candidates for whom the ballot is counted)

Rule 1

Election officers may **not refuse** to count a ballot because the voter marked his or her ballot by scratching out the names of candidates for whom, or the statement of propositions for which he or she did not want to vote (see Figure 11).

Candidates for:	Party A	Party B	Party C	Independent	Write-In
First Office	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> _____
Second Office	<input checked="" type="checkbox"/> Candidate*	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> _____
Third Office	<input checked="" type="checkbox"/> Candidate*		<input type="checkbox"/> Candidate		<input type="checkbox"/> _____

Figure 11: Illustration of the scratch method

Rule 2

If two or more marked ballots are folded together in a way that suggests they were folded before being placed in the ballot box, the ballots are **not counted** (see Figure 12). By contrast, if a ballot has multiple pages and those pages are folded together, the ballot **is counted**.

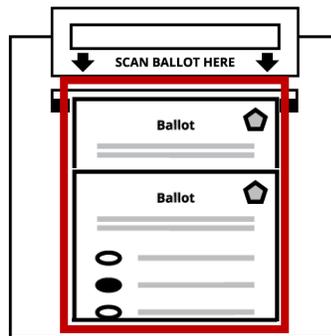


Figure 12: Illustration of two marked ballots folded together when deposited in the ballot box

If a marked ballot is accidentally folded together with an unused, blank sheet, only the marked ballot **is counted**. The blank sheet is treated as an extra page attached to the ballot rather than as a separate ballot.

Rule 3

A ballot is **not counted** if the marked ballot is found in a location other than inside the ballot box.



Rule 4

A ballot is **not counted** if the intent of the voter cannot be determined for any races or propositions on the ballot (see Figure 13).

Candidates for:	Party A	Party B	Party C	Independent	Write-In
First Office	<input checked="" type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input checked="" type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> _____
Second Office	<input checked="" type="checkbox"/> Candidate	<input checked="" type="checkbox"/> Candidate		<input type="checkbox"/> Candidate	<input type="checkbox"/> _____
Third Office	<input type="checkbox"/> Candidate	<input checked="" type="checkbox"/> Candidate		<input checked="" type="checkbox"/> Candidate	<input checked="" type="checkbox"/> Candidate
Fourth Office	<input checked="" type="checkbox"/> Candidate	<input checked="" type="checkbox"/> Candidate			<input type="checkbox"/> _____
Fifth Office	<input checked="" type="checkbox"/> Candidate		<input checked="" type="checkbox"/> Candidate		<input type="checkbox"/> _____

Figure 13: Illustration where the intent of the voter is unclear

Rule 5

A ballot is **not counted** if the ballot is not numbered or signed by the presiding judge and the judge determines the ballot was not provided at the polling place (see Figure 14).

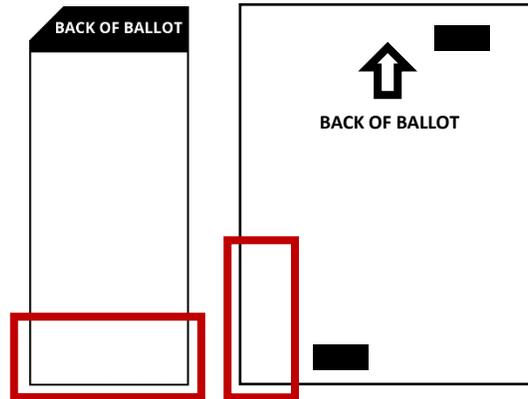


Figure 14: Illustration where a ballot is not numbered or signed by the presiding judge

A ballot that is unnumbered or unsigned **may be counted** if the judge determines that it was provided at the polling place.

Rule 6

A ballot is **not counted** if it is a provisional ballot found in the ballot box not sealed in an Affidavit of Provisional Voter envelope (see Figure 15).



Figure 15: Illustration where a provisional ballot is not sealed in an Affidavit of Provisional Voter envelope

Rules for Counting/Not Counting Write-in Votes

(asterisks indicate the candidates for whom the race is counted)

Rule 1

A write-in is **not counted** in a November general election, city council officer elections, an independent or common school district trustee election, hospital district election, special elections for state representative and state senator, or other elections where declaration of write-in is required and the voter writes in the name of a person whose name is not on the List of Declared Write-In Candidates (see Figure 16).

<p style="font-size: x-small;">3-5 Prescribed by Secretary of State Sections 146.031, Texas Election Code 9/2023</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="font-size: x-small;">Type of Election (Tipo de Elección)</td> <td style="font-size: x-small;">Polling Location (Lugar de Votación)</td> </tr> <tr> <td>General</td> <td>All Polling Locations</td> </tr> <tr> <td style="font-size: x-small;">Date of Election (Fecha de Elección)</td> <td style="font-size: x-small;">Authority Conducting the Election Autoridad Administrando la Elección</td> </tr> <tr> <td>November 4, 2024</td> <td>Sample County</td> </tr> </table> <p style="text-align: center; font-weight: bold; font-size: small;">LIST OF DECLARED WRITE-IN CANDIDATES LISTA DE CANDIDATOS DECLARADOS ELEGIBLES PARA RECIBIR VOTOS POR INSERCIÓN ESCRITA</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="font-size: x-small;">Office Sought Cargo Oficial Solicitado</th> <th style="font-size: x-small;">Name of Candidate Nombre del Candidato</th> </tr> </thead> <tbody> <tr> <td>President/Vice-President</td> <td>Candidate A/B</td> </tr> <tr> <td>President/Vice-President</td> <td>Candidate C/D</td> </tr> <tr> <td>U.S. Senator</td> <td>Candidate E</td> </tr> <tr> <td>U.S. Senator</td> <td>Candidate F</td> </tr> </tbody> </table>	Type of Election (Tipo de Elección)	Polling Location (Lugar de Votación)	General	All Polling Locations	Date of Election (Fecha de Elección)	Authority Conducting the Election Autoridad Administrando la Elección	November 4, 2024	Sample County	Office Sought Cargo Oficial Solicitado	Name of Candidate Nombre del Candidato	President/Vice-President	Candidate A/B	President/Vice-President	Candidate C/D	U.S. Senator	Candidate E	U.S. Senator	Candidate F	<div style="border: 1px solid gray; padding: 10px;"> <p style="text-align: center; font-weight: bold;">Vote for None or One</p> <p><input type="checkbox"/> Candidate A/B</p> <p><input type="checkbox"/> Candidate C/D</p> <div style="border: 2px solid red; padding: 5px; margin: 5px 0;"> <input checked="" type="checkbox"/> CANDIDATE H/I Write-in </div> </div>
Type of Election (Tipo de Elección)	Polling Location (Lugar de Votación)																		
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President/Vice-President	Candidate A/B																		
President/Vice-President	Candidate C/D																		
U.S. Senator	Candidate E																		
U.S. Senator	Candidate F																		

Figure 16: Illustration where a voter wrote in the name of a person whose name is not on the List of Declared Write-In Candidates

Rule 2

In all elections other than those listed above, **all write-ins are counted** (see Figure 17).

Candidates for:	Party A	Party B	Party C	Independent	Write-In
First Office	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input checked="" type="checkbox"/> <u>Candidate*</u>
Second Office	<input checked="" type="checkbox"/> <u>Candidate*</u>	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> _____
Third Office	<input type="checkbox"/> Candidate		<input type="checkbox"/> Candidate		<input checked="" type="checkbox"/> <u>Candidate*</u>

Figure 17: Illustration where intent of voter can be determined for at least one race or proposition on a ballot



Rule 3

In a runoff election, **no write-ins are counted** when a voter writes in any candidate's name (see Figure 18).

Vote for None or One
<input type="checkbox"/> Candidate A
<input type="checkbox"/> Candidate B
X CANDIDATE

Figure 18: Illustration where a voter wrote in a candidate's name

Rule 4

Where a voter fails to properly mark an "X" in the write-in box, the write-in vote **may be counted** if the voter has written the name of the declared write-in candidate for elections where declarations are required or name of person in elections where they are not required and the presiding judge can determine the intent of the voter (see Figure 19).

Candidates for:	Party A	Party B	Party C	Independent	Write-In
First Office	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate		<input type="checkbox"/> <u>Candidate*</u>
Second Office	<input type="checkbox"/> Candidate	<input checked="" type="checkbox"/> Candidate*			<input type="checkbox"/> _____
Fourth Office	<input checked="" type="checkbox"/> Candidate			<input type="checkbox"/> Candidate	<input type="checkbox"/> _____
Fifth Office	<input type="checkbox"/> Candidate		<input type="checkbox"/> Candidate		<input type="checkbox"/> _____

Figure 19: Illustration of write-in vote without marking write-in box

Rule 5

A ballot voted where the voter only marked an "X" in the write-in square and did not write-in the name of a declared write-in candidate should **not be counted** (see Figure 20).

Candidates for:	Party A	Party B	Party C	Independent	Write-In
First Office	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate		<input type="checkbox"/> _____
Second Office	<input type="checkbox"/> Candidate	<input checked="" type="checkbox"/> Candidate*			<input type="checkbox"/> _____
Fourth Office	<input checked="" type="checkbox"/> Candidate			<input type="checkbox"/> Candidate	<input type="checkbox"/> _____
Fifth Office	<input type="checkbox"/> Candidate		<input type="checkbox"/> Candidate		<input checked="" type="checkbox"/> _____

Figure 20: Illustration of write-in vote without listing name of declared write-in candidate



[Secs. 52.070(e), 64.003, 65.005(a), 65.008(b), 65.009, 65.010, 65.011, 144.006, 146.001, 146.002, 146.031(d), 146.054, 146.055, 146.082, 171.0221, 171.0231, 192.037; Secs. 11.056(c), 11.304, 130.081, 130.0825, Education Code; Sec. 285.131, Health and Safety Code; Secs. 326.0431, 326.0432, Local Government Code; Secs. 36.059, 49.101, 63.0945, Water Code; 1 T.A.C. Secs. 81.172—81.176]

CLOSING A HAND-COUNTED BALLOT BOX

Follow instructions provided by the authority conducting the election. Once the vote totals have been reconciled, proceed with the following actions:

1. The election judge must lock and seal the ballot box slot with a tamper-evident seal or wire hasp seal.
 - a. Two election officers and, if poll watchers are present, up to two poll watchers must sign the seal (depending on how the box is designed). Write the serial number of the wire hasp seal, if applicable, on the tamper-evident seal.
 - b. Document the seal number on the chain of custody form, if not already pre-printed.

PREPARING PRECINCT RETURNS

Once the vote count is complete, the presiding judge of the election day polling location has the responsibility of preparing returns for that precinct. The returns must state:

- The total number of voters who voted at the polling place (as indicated by the poll list);
- The total number of votes counted for each candidate; and
- The total number of votes counted for and against each measure.

The judge must prepare an original and three copies of the [Return Sheet](#) (Form 11-7), signing each of them to certify their accuracy.

[Sec. 65.014]



Poll List (or Combination Form)

Follow instructions provided by the authority conducting the election.

1. Prepare the Poll List (or Combination Forms) for return to the authority conducting the election.
 - a. Four copies should be prepared, with the original in Envelope No. 2, one copy in Envelope No. 3, one copy in Envelope No. 4, and one copy in Ballot Box No. 3.

VOTING AREA

Hand-Marked Paper Ballot Stations

Follow instructions provided by the authority conducting the election.

1. Remove all indelible marking instruments and posted signs.
2. Disassemble and pack all voting booths and privacy screens.

DISTRIBUTION OF ELECTION RECORDS

Follow instructions provided by the authority conducting the election.

1. Making Out the Returns
 - a. After all ballots are counted, the counting officer must total and sign each tally list being kept. If more than one officer has kept a particular list, each officer must sign it.
 - b. Total each tally list to obtain the total number of votes cast for each candidate and/or for or against each proposition.
 - c. The presiding judge must complete and sign the [Return Sheet](#) (Form 11-7).
2. The election judge must then complete and sign the [Register of Official Ballots](#) (Form 7-23).
3. Election records must be filed in four envelopes (*five in a primary election*) and three secure ballot boxes or containers. Refer to the table below for the contents of each envelope or box.

Note: The Poll List and Combination Form may be in the form of an ePollbook.

	ENVELOPE NO. 1	ENVELOPE NO. 2
CONTENTS	<ul style="list-style-type: none">• Original of the precinct returns• Copy of the tally list	<ul style="list-style-type: none">• Copy of the precinct returns• Copy of the tally list• Original of the Poll List or Combination Form• Reasonable Impediment Declarations• Signature Roster or Combination Form• Precinct Early Voting List• Certificates of appointment of poll watchers• Original copy of Statement of Compensation and Oaths, in some circumstances• Notice of Total Number of Voters Who Have Voted• Oaths of Election Officers• Oaths of Assistance and Oaths of Interpreters• Affidavits completed at the polling place, except affidavits required to be placed in Envelope No. 4• List of Provisional Voters



CONTENTS	ENVELOPE NO. 3	ENVELOPE NO. 4
	<ul style="list-style-type: none"> Copy of the precinct returns Copy of the Poll List or Combination Form Copy of the List of Provisional Voters Copy of the Register of Official Ballots/ Ballot and Seal Certificate Copy of the Statement of Compensation and Oaths 	<ul style="list-style-type: none"> Precinct List of Registered Voters and Supplemental List of Registered Voters, if any Registration correction list, if any Statements of Residence, if any Copy of the Poll List or Combination Form, if used instead of individual affidavits
	ENVELOPE NO. 5 <i>This envelope is delivered with Envelope No. 1</i>	ENVELOPE FOR REQUESTS AND CANCELED BALLOTS <i>This envelope is placed in Ballot Box No. 4</i>
	<ul style="list-style-type: none"> <i>Original of the Statement of Compensation and Oaths in a Primary Election</i> 	<ul style="list-style-type: none"> Request to Cancel Ballot by Mail for Use in the Polling Place Register of Surrendered Ballots by Mail Surrendered ballots by mail, if any Notice of Improper Delivery and Notice of Surrendered Ballot, if any
	ENVELOPE FOR SPOILED BALLOTS <i>This envelope is placed in Ballot Box No. 4</i>	SECURED CONTAINER USED FOR THE DEPOSIT OF VOTED PROVISIONAL BALLOTS
	<ul style="list-style-type: none"> Register of Spoiled Ballots, if any Spoiled ballots, if any 	<ul style="list-style-type: none"> Voted Provisional Ballots sealed in Provisional Ballot Affidavit Envelopes Original List of Provisional Voters
	BALLOT BOX NO. 3 <i>(optical/digital scan or emergency paper ballots for accessible equipment, if any)</i>	BALLOT BOX NO. 4
	<ul style="list-style-type: none"> Voted ballots Original of Precinct Returns Cast ballots, regardless of counting decisions made A copy of the tally list A copy of the Poll List or Combination Form² 	<ul style="list-style-type: none"> Original of the Register of Official Ballots Envelope for Spoiled Ballots, if any Defectively-printed ballots, if any Envelope for Requests and Canceled Ballots Unused ballots, if any

4. Time

- a. Records must be delivered to the appropriate authority immediately after the precinct returns are completed.
- b. When counting at the precinct level, if the judge determines that the ballots will not be counted in time to permit delivery of the records by 2 a.m. of the day following the election, he or she must notify the general custodian of election records by telephone between midnight of election day and 1 a.m. of the following day of:
 - i. The total number of voters voting as indicated by the Poll List;

² If the Poll List is too large for Ballot Box No. 3, it may be placed in another secure container if such placement has been approved by the Secretary of State.



- ii. The vote totals tallied for each candidate and for and against each measure at the time of notification;
 - iii. Total number of provisional votes (this is recommended); and
 - iv. The expected time of finishing the count.
 - c. In every election, the precinct election records must be delivered to the appropriate authorities not later than 24 hours after the polls close.
 - d. An election officer commits a Class B misdemeanor if the officer fails to make the delivery of those records or if the officer fails to do so by the 24-hour deadline.
5. The presiding judge must deliver the original precinct returns to the presiding officer of the local canvassing authority with the other records contained in Envelope #1. If the presiding officer of the local canvassing authority is unavailable, the envelope shall be delivered to the general custodian of election records, who shall deliver it to the local canvassing authority before the canvass.
6. The presiding judge must deliver a copy of the precinct returns to the general custodian of election records with the other records contained in Envelope #2. The presiding judge must also place a copy of the precinct returns in Ballot Box #3, which is delivered to the general custodian of election records with the other materials in that ballot box.
7. The presiding judge retains Envelope No. 3. The remaining election records are delivered to the general custodian of election records for distribution to the Presiding Officer of the Local Canvassing Authority, Voter Registrar, and *County Chair in a Primary Election*.

[Secs. 31.014, 32.094, 33.060, 63.003(b), 63.004(c), 65.005(c), 65.014(c), 65.053, 66.003(b)(3), 66.025, 66.051, 66.054, 127.066, 172.1141]



Register of Official Ballots (Form 7-23)

7-23
Prescribed by Secretary of State
Section 65.013, Texas Election Code
9/2023

Beginning # _____ to _____

REGISTER OF OFFICIAL BALLOTS

Number of ballots received..... _____ *

Number of ballots defectively printed _____

Number of spoiled ballots returned by voter..... _____

Number of unused ballots..... _____

Number of ballots voted including provisional
(as shown by number of voters on poll list)..... _____

TOTAL NUMBER OF BALLOTS ACCOUNTED FOR..... _____ *

*These two numbers should be equal.

Number of provisional ballots voted
(as shown by number of voters on
list of provisional voters) _____

I the undersigned, Presiding Judge of the Election held on the ____ day of _____, 20____,
at Election Precinct No. _____ in _____, Texas, do hereby
certify that the above and foregoing statement of official ballots of said Election is true and
correct, and that all ballots returned by me were locked in the appropriate ballot box as
required by law.

WITNESS MY HAND this the ____ day of _____, 20____.

Presiding Judge

**NOTE: RETURN ORIGINAL COPY IN BALLOT BOX NO. 4 WITH UNUSED BALLOTS. PLACE OTHER
COPY IN ENVELOPE NO. 3 ADDRESSED TO PRESIDING JUDGE.**

SECURING THE POLLING PLACE

Follow instructions provided by the authority conducting the election.

1. Remove all posted signs inside the polling place.
2. Remove all posted signs outside the polling place, including directional signs near the road, curbside, and *party signs (in primary elections)*.
 - a. Refer to the [Election Day – Opening the Polling Place Checklist](#) (Form 7-29) for a list of signs, if needed.
3. Pick up and discard all trash and debris in the polling place.
 - a. Restore the room(s) to its original condition.



4. If any equipment/supplies were delivered to the polling place by the authority conducting the election, make sure the items are accounted for, packed, and returned in the same manner in which they were delivered.
 - a. Remove all tape from the electrical cords.
5. Close and seal any applicable supply cabinet, cage, or caddy.
 - a. Document chain of custody.
6. Complete, organize, and sign all required paperwork.
 - a. Secure and log all ballot boxes.
7. Complete and sign the [Statement of Compensation and Oaths](#) (Form 7-3) or other applicable timesheets for payroll purposes.
8. Do a final walk-through before leaving the polling place.
 - a. Gather all applicable equipment and election records for transport to the election authority.
9. Secure the facility for the night, as instructed by the election authority or facility manager.
10. Return all applicable equipment and election records to the general custodian of election records.
 - a. Two election officers must deliver the ballot box to the central counting station.
 - b. Poll watchers may accompany election officers delivering election records. If delivery is made in a vehicle, it is sufficient to allow the watcher to follow in a different vehicle and to drive in such a manner that enables the watcher to keep the delivery vehicle in sight.
 - c. An election officer responsible for delivering election returns or voted ballots commits a Class B misdemeanor if he or she:
 - i. Fails to make the delivery to the appropriate authority;
 - ii. Fails to make the delivery by the deadline prescribed by Section 66.053(c); or
 - iii. Fails to prevent another person from handling, in an unauthorized manner, the returns or voted ballots that the officer is responsible for delivering while they are in the officer's custody.

[Secs. 33.060, 65.013, 66.026, 66.054, 66.062(a) & (b); 1 T.A.C. Secs. 81.172—81.176]



Statement of Compensation and Oaths (Form 7-3)

7-3
Prescribed by Secretary of State
Section 32.094, 62.003, 64.034
Texas Election Code
9/2023

For primary only: "X" Check next to judges and clerks names if they attended a training program as prescribed by the Secretary of State.

Oath of Election Officer: "I swear (or affirm) that I will not in any manner request or seek to persuade or induce any voter to vote for or against any candidate or measure to be voted on, and that I will faithfully perform my duty as an officer of the election and guard the purity of the election; **Oath of Person Assisting Voter:** "I swear (or affirm) under penalty of perjury that the voter I am assisting represented to me they are eligible to receive assistance; I will not suggest, by word, sign, or gesture, how the voter should vote; I will prepare the voter's ballot as the voter directs; I did not pressure or coerce the voter into choosing me to provide assistance; I am not the voter's employer, an agent of the voter's employer, or an officer or agent of a labor union to which the voter belongs; I will not communicate information about how the voter has voted to another person; and I understand that if assistance is provided to a voter who is not eligible for assistance, the voter's ballot may not be counted."

STATEMENT OF COMPENSATION and OATHS

√	1. Name of Election Official (Please Print Legibly)	Pct. # or Location Name Complete Address (Include City, Zip)	Authority Conducting Election Social Security Number	Signature	Date		Type of Election		Payroll office use only
					Hours Worked From	To	Total Hours	Rate of Pay X = Amount	
	Phone # () -	TX	- -						
	Phone # () -	TX	- -						
	Phone # () -	TX	- -						
	Phone # () -	TX	- -						
	2. Name of Person Who Stamped "Voted" on List of Registered Voters from the supplemental list (Do Not Include Above)								
	Phone # () -	TX	- -		Additional Hours				
	3. Name of Person/Persons who Delivered Election Supplies (Do Not Include Above)								
	Phone # () -	TX	- -					Delivery Fee:	
	Phone # () -	TX	- -					Delivery Fee:	
	If the same person stamps the list of registered voters from the supplemental list and delivers the election supplies, include election day hours and hours for stamping under #2 and put only the delivery fee under #3.				Other Expenses (Describe):		(A) Total of Other Expenses:		
	I state that the above is a true and correct statement of the names, addresses and hours served of all the election officials conducting the above named election and of the other expenses incurred in this election.				For Office Use Only:		(B) Total Payroll:		
	Signature of Presiding Judge _____				The Presiding Judge shall deliver this form to the authority responsible for distributing election supplies at the designated time but no later than 5:00 p.m. of the third day after Election Day. 32.094(d)		INSTRUCTIONS		(C) Total Precinct Cost:
					1. Total payroll includes delivery fee(s).		2. Add box (A) & (B) to get (C), the Total Precinct Cost.		



CHECK YOUR UNDERSTANDING

Circle the best possible answer.

1. The failure of a voter to mark his or her ballot in strict conformity with the law does not invalidate the ballot.

- A. True
- B. False

2. Who is responsible for resolving any ambiguous questions of voter intent?

- A. The tallier
- B. The caller
- C. The county election official
- D. The presiding judge

3. A ballot that is unnumbered or unsigned may not be counted even if the judge determines that it was provided at the polling place.

- A. True
- B. False

4. What, if anything, can be counted on this ballot?

Vote for None or One					
Candidates for:	Party A	Party B	Party C	Independent	Write-In
First Office	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> _____
Second Office	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> _____
Third Office	<input type="checkbox"/> Candidate		<input type="checkbox"/> Candidate		<input checked="" type="checkbox"/> Candidate

- A. The entire ballot
- B. Second and Third Offices
- C. Second Office
- D. None of the races

5. What, if anything, can be counted on this ballot?

Vote for None or One					
Candidates for:	Party A	Party B	Party C	Independent	Write-In
First Office	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input checked="" type="checkbox"/> Candidate
Second Office	<input checked="" type="checkbox"/> Candidate	<input checked="" type="checkbox"/> Candidate		<input checked="" type="checkbox"/> Candidate	<input type="checkbox"/> _____
Third Office	<input type="checkbox"/> Candidate	<input checked="" type="checkbox"/> Candidate	<input type="checkbox"/> Candidate		<input type="checkbox"/> _____

- A. The entire ballot
- B. First and Third Offices
- C. Second Office
- D. None of the races





**Texas Secretary of State
Elections Division**

800-252-VOTE • 512-463-5650
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