

Name of Form:

Petition Requesting a Recount.

Section Reference:

Section 212.001, Texas Election Code

Purpose:

To request a recount after the canvass of the election.

Number of Copies Required:

One

Completed by:

**A. Candidate:**

1. A candidate for a nomination or election to an office only if the candidate is shown by the election return not to be nominated or elected. [Sec. 212.022].
2. A winning candidate in certain circumstances affecting officers with a state level canvass may request a recount [Secs. 212.0241(b), 212.131(c)]

**B. For a measure election:**

1. The campaign treasurer of a specific-purpose political committee that was involved in the election; [Sec. 212.024] or
2. Any 25 or more persons, acting jointly, who were eligible to vote in the election may petition for a recount. [Sec. 212.024]

Deadline for Filing:

1. **Regular:** (plurality vote, or majority vote but only two candidates) If the entity elects by PLURALITY (a majority vote is not required), OR, if there were just TWO candidates in the race, the deadline is 5:00 p.m. of the 2nd day after the canvass. Candidates are elected by plurality vote unless the law (e.g., statute, home-rule charter, court order) expressly provides otherwise. [Secs. 2.001, 212.028]

NOTE: A majority vote means that the winning candidate must receive more than 50% of the total votes. A plurality vote means that the winning candidate must receive more votes than any other candidate for the office.

2. **Expedited:** When a majority vote (NOT plurality) is required AND there were more than two candidates, the deadline is 2:00 p.m. of the first day after the date of the local canvass. If the deadline falls on a Saturday, Sunday, or legal state holiday, the deadline is extended to 10:00 a.m. of the next business day. [Secs. 2.025, 2.023, 212.083, 212.088]

**Regarding all recount deadlines:** The request is considered submitted AT THE TIME OF ITS RECEIPT. [Sec. 212.003]

Filed With:

Presiding office of the canvassing authority.

Comments:

Current form is 10/21.