



Texas Secretary of State
ELECTIONS DIVISION



Post-Election Hand Count Audit



Partial Manual Count is now the Post-Election Hand Count Audit

SB 827 passed both houses and signed by governor.

Effective September 1, the Partial Manual Count is now known as the Post-Election Hand Count Audit.



Post-Election Hand Count Audit Requirement

All counties, local political subdivisions, and political parties that tabulate voting system ballots electronically are required to conduct the Post-Election Hand Count Audit.



Conducting the Post-Election Hand Count Audit

The Post-Election Hand Count Audit must be conducted after every election using paper ballots counted with an electronic voting system. **This includes marked paper ballots and paper ballots generated by a ballot marking device.**

It includes all ballots that were counted with a precinct or central scanner and reported as part of your unofficial results on election night. It also includes:

- Early voting in person and by mail ballots that were counted with a precinct scanner or central scanner.

Ballots cast on a paperless DRE are exempt from the Post-Election Hand Count Audit.



Initial Steps of the Post-Election Hand Count Audit

For the March 3, 2026 Primary Election, the Secretary of State shall select offices, polling locations, and precincts to be counted.

- Three (3) Election Day polling locations and three (3) Early Voting locations or one (1) percent of the Election Day polling locations and one (1) percent of the Early Voting locations, whichever is greater, will be selected
- No more than three (3) offices or propositions shall be designated for the count



General Custodian's Role In the Post-Election Hand Count Audit

The General Custodian shall conduct a manual count of the three selected offices or measures on the ballots by mail in at least one (1) percent of the precincts in which a ballot by mail was cast and in which the ballot were counted using automatic tabulating equipment **OR** in three (3) precincts, whichever is greater.

- The Secretary of State shall select the Precincts at random.



Selection of Polling Locations/Precincts - Random

The General Custodian may select additional polling locations for early voting and election day and additional precincts for ballots by mail through a random selection process.

- The General Custodian should follow the guidelines used to randomly select polling locations and precincts for the initial Post-Election Hand Count Audit.
- These guidelines are discussed in more detail in Election Advisory 2025-21 and in the Post-Election Hand Count Audit Handbook (<https://www.sos.state.tx.us/elections/forms/post-election-hand-count-guide.pdf>)



Selection of Polling Locations/Precincts - Turnout

The General Custodian may select additional polling locations for early voting and election day, or additional precincts for ballots by mail, with the highest voter turnout.

- For voting by mail, the General Custodian may focus on precincts with the largest number of accepted ballots by mail.



Selection of Polling Locations/Precincts - Discrepancy

If reconciliation documentation indicates that a discrepancy exists between the number of votes cast at a polling location (or in a ballot by mail precinct) and the number of ballots counted, the General Custodian is authorized to add the precincts or polling locations to the Post-Election Hand Count Audit.

- The General Custodian must document the reason or reasons for adding the additional polling locations or precincts to the Post-Election Hand Count Audit.



Early Voting Ballot Board Role In the Post-Election Hand Count Audit

General custodian shall designate members of the early voting ballot board to perform the Post-Election Hand Count Audit.

If a member or members of the early voting ballot board are unable to serve, the general custodian may appoint other individuals



Who Appoints the Early Voting Ballot Board?

Joint Primary

County Clerk or Elections
Administrator via "List Procedure"

Separate Primary

County Chair appoints Presiding
Judge
Presiding Judge appoints remaining
members



Who can attend the Post-Election Hand Count Audit?

Each person entitled to appoint watchers in the election may attend

Each person may have a watcher present

- Each watcher must deliver a certificate of appointment to the presiding judge “at the time” the watcher reports for service
- Each watcher must satisfy the same requirements to be a watcher in Chapter 33 of the Texas Election Code



Video Surveillance of Post-Election Hand Count Audit

Counties with populations of 100,000+ must implement a video surveillance system of all areas containing voted ballots until the canvass of precinct election returns

In counties with the video surveillance requirement and counties that have voluntarily implemented video surveillance, this will mean that the Post-Election Hand Count Audit will be conducted under video surveillance if the Post-Election Hand Count Audit is conducted prior to the canvass



Starting the Post-Election Hand Count Audit

Entities will receive a separate email prior to Election Day from SOS with information specific to the Post-Election Hand Count Audit.

Once notified, the general custodian of election records must post notice of the date, hour, and place of the count.



Starting the Post-Election Hand Count Audit - *continued*

The general custodian must begin the Post-Election Hand Count Audit **within 72 hours** after the polls close on Election Day.

The Post-Election Hand Count Audit shall be completed no later than the **21st day after Election Day** (Tuesday, March 24, 2026).

Results of the Post-Election Hand Count Audit **must be posted** on the county's website in the same location where election returns and results are posted.



Opening the Ballot Box

You are not required to petition a district judge for permission to retrieve the ballots when conducting the Post-Election Hand Count Audit, since this is a procedure that is required by law.

- When you have designated to begin the Post-Election Hand Count Audit, you should arrange access to the ballots for the selected precincts.
- Before conducting the Post-Election Hand Count Audit, the General Custodian of Records should coordinate with the Custodian of Keys to receive the keys to the ballot boxes, or to be present for the opening of the ballot boxes (Sec. 66.058)
- Following the Post-Election Hand Count Audit, all election material shall be re-secured and returned to the appropriate authority. (Sec. 66.058 and 127.201).



Counting the Ballots

Counties and local political subdivisions should consider preparing written procedures that explain how to conduct the Post-Election Hand Count Audit step-by-step in their respective political subdivision.

Each counting team should pull and tally their ballot box, use preprinted tally sheets, and ensure accuracy before submission.

It is recommended that teams of 2-3 people retrieve the ballots that are part of the Post-Election Hand Count Audit and hand count those ballots.

At all times relevant to the count, the general custodian of election records must take every precaution necessary ***to protect the confidentiality and security of the ballots cast by the voters.***



Counting the Ballots - *continued*

Each counting team must consist of at least two people (Sec. 65.001).

Three original tally sheets are required (Sec. 65.004). These tally lists should be completely filled out and include the following information:

- Names and offices of candidates and/or propositions;
- Date;
- Precinct number or polling location;
- Name of presiding judge;
- Signature of the person keeping the tally list.

No marks should be made on any ballot by any person during the counting process. In the event a ballot is not counted, a separate log containing the ballot number and reason(s) for not counting the ballot should be maintained (Sec. 65.010(c)).



Counting the Ballots - *continued*

If the ballots were not previously pre-sorted by the Early Voting Ballot Board or the staff of the general custodian of election records, then the counting officers should open the ballot box containing voted ballots as soon as it is received.

The officer designated as the caller should remove the ballots from the ballot box (Sec. 65.005).

The caller must read and distinctly announce, to the officers keeping the tally lists (the talliers) each name of a candidate or proposition for which there is a vote (Sec. 65.005).

When counting ballots, remember to count only those races and ballot measures which are a part of the Post-Election Hand Count Audit.



Valid vs. Invalid Ballots

The failure of a voter to mark his or her ballot in strict conformity with the Election Code does not invalidate the ballot (Sec. 65.009(a)).

The failure of a voter to vote a full ballot does not invalidate the ballot (Sec. 65.009(b)).

Marking the ballot by marking through the names of candidates for whom or the statements beside the proposition for which the voter does not desire to vote does not invalidate the ballot.



Valid vs. Invalid Ballots - *continued*

The intent of the voter in marking a ballot may be determined by:

- A distinguishing mark adjacent to the name of a candidate or political party or a voting choice associated with a proposition;
- An oval, box, or similar marking clearly drawn around the name of a candidate or political party or a voting choice associated with a proposition;
- A line drawn through:
 - The names of all candidates in a manner that indicates a preference for the candidates not marked if the names of the candidates not marked do not exceed the number of persons that may be elected to that office;
 - The name of each political party except one in a manner that clearly indicates a preference for the political party not marked;
 - A voting choice associated with a proposition in a manner that clearly indicates a preference for the other voting choice associated with the proposition; or
- Any other evidence that clearly indicates the intent of the voter in choosing a candidate or political party or deciding on a proposition (Sec. 65.009).



Valid vs. Invalid Ballots - *continued*

A ballot is not counted in the Post-Election Hand Count Audit if:

- The intent of the voter cannot be determined for any races or propositions on the ballot. (Sec. 65.009).
- Two or more marked ballots are folded together in a manner indicating that they were folded together (Sec. 65.010(a)(2)).
- The ballot is not numbered and the presiding judge determines that the ballot was not provided at the polling place (Sec. 65.010(a)(1)).
- The ballot was never deposited in the ballot box (Sec. 65.010(a)(4)).



Replacing Counting Team Members

A member of the counting team should not be replaced after vote tallying has begun unless each existing discrepancy among the three tally lists is corrected before the replacement is made (Sec. 65.006(a)).

If a counting officer is replaced on a counting team after the tallying is begun, the officer to be replaced should certify the accuracy of the list the officer has kept, as of the time of replacement, by signing the list at that time (Sec. 65.006(b)).



Conducting the Post-Election Hand Count Audit for Countywide Polling Place Counties

For counties that are participating in the Countywide Polling Place Program, for the Election Day count, they will complete the Post-Election Hand Count Audit by polling place.

Early voting ballots are now required to be counted by polling place in countywide counties. The selected polling places must be counted for early voting ballots cast in-person.



Conducting the Post-Election Hand Count Audit for Countywide Polling Place Counties - *continued*

At the convening of the Post-Election Hand Count Audit, the general custodian of election records shall identify the applicable ballot boxes containing voted ballots subject to the Post-Election Hand Count Audit

For the selected polling places, the general custodian of election records with at least one individual of the counting team shall inspect the ballot boxes to verify that all locks and seals are intact



Counties Using Direct Recording Electronic Voting Systems

When entering information into the results, place zeroes “0” in the columns for election and early voting in person.

Still required to conduct a Post-Election Hand Count Audit for mail ballots.

*** Please note that after September 1, 2026, DREs that do not have a paper record will no longer be permitted for use in Texas elections unless the device is used only for curbside voting. (Sec. 129.003).



Resolving Discrepancies

If there are discrepancies between the hand count and the voting system reports, the general custodian of election records, in consultation with the Early Voting Ballot Board, must attempt to determine what caused the discrepancy.

When investigating a discrepancy, start with the hand counted ballots.

- Verify that the number of ballots in each batch of ballots matches the expected totals from the voting system count, and that no ballots were missed when retrieving ballots from their ballot boxes and that no ballot boxes were overlooked.
- Check that each stack of ballots is from the correct precinct or polling place, and sorted into the correct stacks for that precinct or polling place.
- Recount the pulled ballots to double check that the hand count is accurate.
- If any changes are being made to tally sheets, be sure to document what the change is and why it took place.



Resolving Discrepancies - *continued*

After the hand count has been reviewed, the general custodian of election records should ensure that the most current version of the results report is being used.

- Checking the cast vote records can also tell you how an individual ballot was counted by the voting system, but it may be a challenge to track down.

In counties with hand-marked ballots inserted into precinct scanners or central scanners, there may be some ballots interpreted by the voting system as an overvote or an undervote, but when viewed manually the voter's intent is clear.

If the discrepancy cannot be resolved, the general custodian of election records should document the discrepancy and any efforts to resolve it.



Completing the Post-Election Hand Count Audit

The Post-Election Hand Count Audit must be completed no later than the 21st day after election day.

No later than the third day after the date the Post-Election Hand Count Audit is completed, the general custodian of election records shall deliver a written report of the results to the Secretary of State's Office.

Results of the Post-Election Hand Count Audit must also be posted on the county's website in the same location where election returns and results are posted.



Public Information

Records of the Post-Election Hand Count Audit are publicly available, and must be retained for the standard 22-month period. When storing records, keep related Post-Election Hand Count Audit paperwork together in well-labeled boxes, separated from other election records.



Resources

- Post-Election Hand Count Audit Guide:
<https://www.sos.state.tx.us/elections/forms/post-election-hand-count-guide.pdf>
- Election Advisory 2025-21:
<https://www.sos.state.tx.us/elections/laws/advisory2025-21.shtml>
- Election Form Index:
<https://www.sos.state.tx.us/elections/forms/pol-sub/index.shtml>



Available Support



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TRAINING



RESOURCES

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