Recount Guide

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 prepared this practical guide for a recount. It contains a thorough outline of the types of recounts, personnel involved, how to review the petition, preparing and conducting a recount, canvassing the election, and determining final costs.

References are made to the appropriate sections 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. For questions on election law and procedures, call the Elections Division at 800-252-VOTE (toll-free) or 512-463-5650.

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

GROUNDS FOR A RECOUNT

Recounts are petitioner-initiated and may only be requested if:

- The number of votes between the petitioner and candidate who was elected, nominated, or entitled to a place on the runoff ballot is less than 10% of the number of votes received by the candidate who was elected, nominated, or entitled to a place on the runoff ballot or tied for nomination, election, or entitlement to a place on the runoff ballot.
- The petitioner is shown by the election returns to be entitled to a place on a runoff ballot.
- An election judge swears that the paper ballots were counted incorrectly; if hand counted.
    - This must be certified by the Office of the Secretary of State.
- The total number of votes received by all candidates for the office is less than 1,000.

No ground is required for a petition for a recount of electronic voting system results.

Refer to the Review of Petition for petition requirements.

Types of Recounts

Manual Recount

A manual recount consists of recounting votes by hand instead of using automatic tabulating equipment. One member of the counting team shall examine each ballot and clearly announce the name of each candidate for whom a vote has been received or whether a vote has been received for or against a measure. The other members of the counting team shall record the votes on the tally lists as they are announced. Vote totals are derived from adding all vote tallies to determine the final counts for each candidate or measure.

Electronic Recount

An electronic recount consists of recounting votes using electronic media created for the purpose of conducting the recount and scanning only the paper ballots containing the race to be recounted. A recount of ballots originally counted on automatic tabulating equipment at a polling place must be made on the same or a similar unit of equipment unless the person requesting the recount requests that other equipment be used.

Expedited Recount

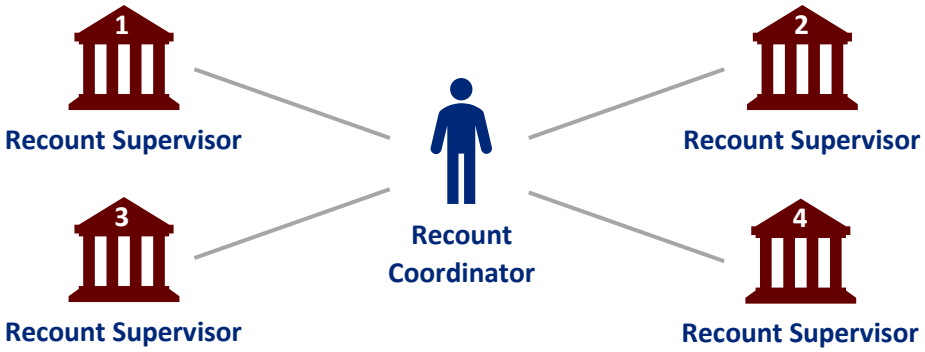
An expedited recount is only applicable to an office in which a majority vote is required for nomination and there were more than two candidates. Rules and deadlines still apply in the event the race to be recounted will result in a runoff. *See* Chapter 212, Subchapter D for more information.

Automatic Recounts

An automatic recount only occurs if an election that requires a plurality or majority vote results in a tie. The method of counting votes in an automatic recount is the same method of counting used in the election that resulted in the tie vote. A petition and deposit are not required and all costs must be paid by the political subdivision that is served by the presiding officer of the local canvassing authority. *See* Chapter 216 for more information.

Multi-Jurisdictional Recounts

A multi-jurisdictional recount is a state, district, or local race in multiple counties. The Recount Coordinator is the presiding officer of the final canvassing authority. A single Recount Coordinator will oversee all of the participating counties in the recount. There will be a Recount Supervisor for each county taking part in the recount. The Recount Supervisor is the presiding officer of the local canvassing authority.



One Recount Coordinator oversees all of the participating counties in the recount.

In a recount of an election in which there is more than one local canvassing authority, the result of the canvass shall be reported to the other canvassing authorities in the same manner as the result of an original canvass.

Common Misconceptions Regarding Recounts

- A recount **IS NOT** an election contest.
- A recount **DOES NOT** authorize the requalifying of voters.
- A recount **DOES NOT** authorize more than one recount of a race or measure. If a petition to request a recount for a particular race or measure is filed, this does not authorize all races or measures on the ballot to be recounted. Only the race or measure for which the petition was filed can be recounted.
- A recount **DOES NOT** delay canvassing, but the canvassing authority must make a note on the canvass that a recount has been requested. Submission of a recount petition delays the issuance of a certificate of election and qualification for the office involved in the recount pending completion of recount.

DEVELOP A PLAN

Prior to a recount, develop a plan specific to the needs of the county or entity. Ensure it is reviewed annually and update as needed. A written plan should include:

- Timeline for recount functions to ensure deadlines are met.
- Identification of recount personnel roles and their responsibilities.
- Checklist of forms and supplies needed to perform a recount.
- Security plan and procedures for protecting ballots and election materials, including chain of custody.
- Floor plan of the recount room.

- Label areas where:
    - Personal items can be stored;
    - Ballot management is taking place; and
    - Recount action will take place.
- Method for sorting and recounting ballots.
- Processes for managing the flow of information to the Recount Committee, media, candidates, and political parties.
- Policies for preparing copies of challenged ballots and costs for obtaining those copies.
- Procedures for calculating costs in a recount that include:
    - Elections staff of the General Custodian of Election Records;
    - Members of the Recount Committee; and
    - Postage and other administrative costs.
- Procedures for tracking assessable recount costs for final reconciliation.
- Communications plan so personnel are aware of the duties and responsibilities that are not incumbent upon the General Custodian of Election Records.
- Contingency plan if the scheduled recount cannot take place because of inclement weather, disasters, or other unforeseeable circumstances.
- Policies for personal wireless/recording devices, such as phones and smart watches.
- Procedures for the Recount Coordinator to prepare and deliver a cost statement to the petitioner.

RECOUNT PERSONNEL

The only individuals specifically permitted by law to be inside the recount room or in a hallway or corridor within 30 feet of the entrance to the room are:

- Each opposing candidate in the race to be recounted;
- Campaign treasurer of each specific-purpose political committee involved in an election on a measure;
- Recount Watchers;
- Recount Coordinator;
- Recount Supervisor;
- Recount Committee Chair;
- Recount Committee;
- General Custodian of Election Records and/or Elections Staff; and
- Staff member(s) of the Elections Division of the Office of the Secretary of State.

Petitioner

A **candidate** may petition for a recount if:

- The candidate is shown by the election returns not to have been elected to the office.
- The winning candidate, in certain circumstances, when a statewide canvass is affected.

In an election on a **measure**, a petition for a recount may be made by:

- The campaign treasurer of a specific-purpose political committee involved in the election.
- 25 or more persons acting jointly who were eligible to vote in the election on the measure.

General Custodian of Election Records and Elections Staff

The General Custodian of Election Records and the Recount Committee Chair should work together to maintain chain of custody and the security of voted ballots during a recount. The General Custodian may allow staff members to assist with the recount process and is entitled to be present at each phase of the recounting process.

Elections staff may assist with the following activities:

- Distributing ballot boxes to the Recount Committee;
- Supervising the execution of chain of custody documents; and
- Serving as runners.

Note: This is not an exhaustive list of activities that the staff of the General Custodian of Election Records can perform.

Recount Coordinator

The Recount Coordinator is the presiding officer of the final canvassing authority. Typically, the final canvassing authority is also the local canvassing authority. The petition requesting a recount must be filed with the Recount Coordinator. A candidate in the race to be recounted is ineligible to serve as the Recount Coordinator and a substitute Recount Coordinator must serve.

Recount Supervisor

The recount Supervisor is the presiding officer of the local canvassing authority. The Recount Supervisor manages and supervises a recount in precincts within the jurisdiction of the local canvassing authority and appoints the Recount Committee Chair and Recount Committee. A candidate in the race to be recounted is ineligible to serve as the Recount Supervisor. The Recount Supervisor cannot transfer any legally required or other official duties to the General Custodian of Election Records. Often times the Recount Supervisor and Recount Coordinator are the same person.

The following chart is a guide to assist in determining who will act as a Recount Supervisor or Coordinator:

Election Type	Recount Supervisor or Coordinator	Substitute Recount Supervisor or Coordinator
Federal, State, and County Elections in a single county	County Judge	Chief Election Official
Federal, State, and County Elections with territory in more than one county	Secretary of State	Designated Representative of the Secretary of State
General Election for Governor or Lieutenant Governor	Secretary of State	Designated Representative of the Secretary of State
Primary Elections (County, District, and Precinct Races in a single county)	County Chair	Secretary of County Executive Committee
Primary Elections (State and District Races in more than one county)	State Chair	Secretary of the State Executive Committee

Election Type	Recount Supervisor or Coordinator	Substitute Recount Supervisor or Coordinator
Municipal Elections	Mayor	City Secretary
Other Local Political Subdivisions	Board President	Board Secretary

Recount Committee Chair

The Recount Committee Chair has the same authority as a presiding judge and is responsible for:

- Designating the members of recount teams;
- Issuing name badges to every individual engaged in the recount;
- Assigning duties to be performed by each member of the Recount Committee;
- Preserving order;
- Determining voter intent, if questioned by the Recount Committee, and whether a particular ballot may be lawfully counted;
- Accepting all certificates of appointment from Recount Watchers; and
- Creating a precinct by precinct report of the recount.

Note: This is not an exhaustive list of the responsibilities of the Recount Committee Chair.

The duties of the Recount Committee Chair cannot be divided among multiple people. If the Recount Committee Chair is temporarily unavailable, the Recount Supervisor or the supervisor's designee may exercise the chair's authority. If the Recount Committee Chair is no longer able to serve, the Recount Supervisor may appoint a replacement Recount Committee Chair.

Recount Committee

The Recount Committee is appointed by the Recount Supervisor and composed of at least four members, including the Recount Committee Chair. Members must meet the qualifications of an Election Day clerk. They must be qualified voters of the political subdivision served by the Recount Supervisor. In a county that participates in the Countywide Polling Place Program, the member must be a registered voter of the county. In a precinct-based county, the member must be a registered voter of the political subdivision served by the Recount Supervisor. A person who served as a presiding judge on Election Day or as a judge of the Early Voting Ballot Board is ineligible to serve on the Recount Committee.

The total number of members should be based on the size of a recount. When determining the number of members, consider the following:

- Number of ballot boxes to be sorted;
- Number of ballots to be counted; and
- Size of the recount room.

A person employed by or related within the second degree by consanguinity (blood) or affinity (marriage) to a candidate in the contest to be recounted, is **not eligible** to serve on the Recount Committee, however, he or she can serve as a Recount Watcher.

Recount Watcher

Similar to a poll watcher, a Recount Watcher is a person appointed to observe the conduct of the recount on behalf of:

- A candidate;
- A political party; or
- The proponents or opponents of a measure (specific-purpose political action committee). [Sec. 213.013]

The petitioner is permitted to have watchers present in a number corresponding to the number of counting teams designated for the recount; however, if there is a single counting team, two Recount Watchers may be present. [Sec. 213.013(b)]

A Recount Watcher must deliver an Certificate of Appointment of a Watcher for a Recount (Form 14-2) to the Recount Committee Chair at the time the watcher reports for service. A watcher who submits a valid appointment form to the Recount Committee Chair must be admitted to the recount unless the specific authority's maximum number of watchers have already been accepted. [Sec. 213.013(e)] Once a person is appointed as a watcher, he or she **cannot** change roles during a recount, including to serve on the Recount Committee.

Unlike a poll watcher, a Recount Watcher is not required to:

- Meet any particular qualifications to serve.
- Complete the training under 33.008.
- Be a registered voter of the territory in which the election was held.
- Satisfy any age or citizenship requirements.

Public officials are permitted to serve as Recount Watchers; eligibility is not affected by any familial relationship of a watcher to a person serving on the Recount Committee.

A Recount Watcher is entitled to observe any activity conducted in connection with the recount.

Watchers are entitled to sit or stand conveniently near:

- The officers conducting the observed activity.
- An officer who is announcing the votes.
- The ballots to verify that the ballots are counted or processed correctly.
- The officers tallying the votes to verify that they are tallied correctly.

Rules concerning a watcher's rights, duties, and privileges are otherwise the same as those prescribed for poll watchers to the extent they can be made applicable. [Sec. 213.013(h)]

Recount Watchers may also be present in the same number prescribed under 213.013(b) to observe the printing of ballot images cast on direct recording electronic voting systems prior to the recount. [Sec. 213.016] Watchers **may not** touch any official documents or handle any ballots to be recounted.

Once a person is appointed to the Recount Committee, he or she **cannot** become a Recount Watcher.

DEADLINE FOR FILING

Initial Recount

The deadline to file a petition is 5 p.m. of the third business day after the canvass. If the deadline falls on a Saturday, Sunday, or legal state holiday, the deadline is extended to 10 a.m. of the next regular business day. [Sec. 212.028]

Expedited Recount

The deadline to file a petition is 2 p.m. of the second 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 a.m. of the next business day. [Secs. 212.083, 212.088]

REVIEW OF PETITION

A petition for a recount must be in writing and submitted in person or by mail to the Recount Coordinator. Contents must include the following:

- Identify the office or measure for which a recount is requested;
- State the grounds for a recount;
- State the side of the measure that the person requesting the recount represents, if applicable,
- Identify the election precincts (grouped by county or other territorial unit, if more than one canvassing authority is involved) for which a recount is requested;
- Signature of the petitioner (or agent);
- Identify if a manual (by-hand) or electronic recount is requested for ballots tabulated with an electronic voting system;
- The name, address, and phone number of the petitioner(s) (or agent);
- The voter registration number and county of registration of the petitioner(s) or agent if authorization to obtain the recount is based on eligibility to vote in the election;
- The name, address, e-mail address (if any), and phone number of the opposing candidate or agent; and
- The required deposit made in the form of cash, cashier's check, or money order made payable to the Recount Coordinator. [Sec. 212.001]

Once the legal deadline is met, the Recount Coordinator has 48 hours to review the petition for compliance and promptly notify the petitioner whether the petition is accepted or defective. If defective, the petitioner has until 5 p.m. on the second day after the notice of the defect is received to correct the defect. If the defect is not corrected by the deadline, the Recount Coordinator must reject the petition and promptly notify the petitioner. If the amendment was timely filed but the amendment did not correct the defect, the Recount Coordinator shall promptly notify the petitioner of each remaining defect and shall enter on the amended petition a description of each defect and the date of notice.

Note: A petition may not be amended more than once. For example, correction of an improper deposit is considered an amendment to a recount petition. [Sec. 212.030(f)]

Calculation of Deposit

The deposit is based, in part, on the number of Election Day polling locations or precincts to be recounted:

- $60 for each Election Day polling location or precinct, whichever results in a smaller amount, in which regular (hand-counted) paper ballots were used.

- $100 for each Election Day polling location or precinct, whichever results in a smaller amount, in which an electronic voting system was used.
- Early Voting ballots are considered to be one additional polling location or precinct.

The deposit must be paid in the form of cash, cashier's check, or money order made payable to the Recount Coordinator and must accompany the petition. [Sec. 212.111(b)] The deposit **may not** be paid by personal check, credit card, or deposited into the account of anyone other than the Recount Coordinator. Deposits may be used for:

- Recount Committee compensation. [Sec. 213.004]
    - The hourly rate is set by the Recount Supervisor and may not exceed the maximum hourly rate for election judges.
- Charges for use of automatic tabulating equipment. [Sec. 214.044]
    - **Note:** Contact the legal team within the Elections Division of the Office of the Secretary of State for regulations on charging for the use of automatic tabulating equipment during a recount. Charges may vary based on the type of election.
- A service charge of $15 for each Recount Supervisor involved in the recount as a reimbursement to the fund from which the telephone, postage, and other office expenses of the Recount Supervisor are paid.
- In a recount of an election for which the final canvass is at the state level, a service charge of $15 for each Recount Supervisor involved in the recount plus an additional $50 as a reimbursement to the fund from which the telephone, postage, and other office expenses of the Recount Supervisor are paid.
- The actual expense incurred in producing a printed ballot image from an electronic voting system record.

If the costs of a recount are projected to exceed the deposit, the Recount Coordinator **may not** request additional funds from the petitioner during the course of a recount or stop the progress of the recount. *See* Chapter 215 for assessable costs of a recount.

Note: The Recount Supervisor is required to maintain the costs attributable to each petitioner whose petition of a recount was accepted.

PREPARE FOR THE RECOUNT

Once a recount petition is accepted, the Recount Coordinator or Recount Supervisor should communicate with the General Custodian of Election Records. Consider preparing one or more of the following documents prior to beginning a recount:

- Results reports from the voting system.
- Reports from ePollbooks to determine the number of voters qualified.
- Other reports for identifying which ballot boxes to access and the total number of ballots to be recounted. This includes:
    - Precinct by precinct report with overvotes and undervotes.
        - Include detail reports (Ballot by Mail, Early Voting in Person, and Election Day), if available.
    - Summary/cumulative report with overvotes and undervotes.
        - Include detail reports (Ballot by Mail, Early Voting in Person, and Election Day), if available.

- Number of ballots cast by voting location, by party in a primary election.[1]
- Number of voters checked in at each voting location, by party in a primary election.[1]

Recount totals are not required to match any generated reports and are for reference only. Ballot sorting or counting should not be based on the reports generated by the voting system.

Recommendations

- Secure a place to conduct the recount:
  - Set up the room with an adequate number of tables and chairs.
  - Develop a workflow plan to facilitate recount activities.
  - Consider marking a 30-foot boundary from the door to the room where the recount is taking place.
  - Trash cans are not recommended in the room.
  - Red pens are recommended for the tally sheets and to record other recount activities.
  - Pencils are not recommended to be used for tally sheets or other official records.
- Create a list of all ballot boxes involved in the recount. Use the list to track whether the box is waiting to be counted, is being counted, or has been counted.
- Contact the designated keyholders in advance to open the second lock on the early voting ballot boxes.
  - **Note:** The designated keyholder may give the keys to ballot boxes and other secured materials to the Recount Committee Chair.
- Use election night reports to help determine the expected total of ballots that should be present in each ballot box.
- Place the original chain of custody form on each ballot box. Use the existing form or a new form along with new seals to secure each ballot box once recounting has been completed.
- Develop a process whereby ballot boxes are assigned to the Recount Committee and the tally sheets are given to the Recount Coordinator when the ballot box has been fully counted.
- Provide baskets or bins to contain the sorted ballots.
- Create a recount schedule that will allow controlled breaks and ballot security.
- Designate an area for personal belongings, including water bottles, food, hand sanitizer, and anything that could potentially damage ballots.
- Print the following for reference:
  - Chapters 211-216 of the Texas Election Code
  - Texas Secretary of State Recount Guide
- It is the Recount Coordinator's responsibility to determine if the vote totals will be manually compiled or formulated in a spreadsheet.
- Develop a plan for tracking all expenses associated with the recount so that a detailed, itemized report can be prepared at the conclusion. An itemized statement of costs is required by law so that the petitioner can inspect the cost records. [Sec. 215.008]
- Prepare timesheets for all persons who are entitled to compensation.

[1] For counties participating in the Countywide Polling Place Program, these optional report(s) will help identify how many ballots are contained within and which ballot boxes should be accessed (in a less than countywide race).

Recommended Recount Supplies and Forms

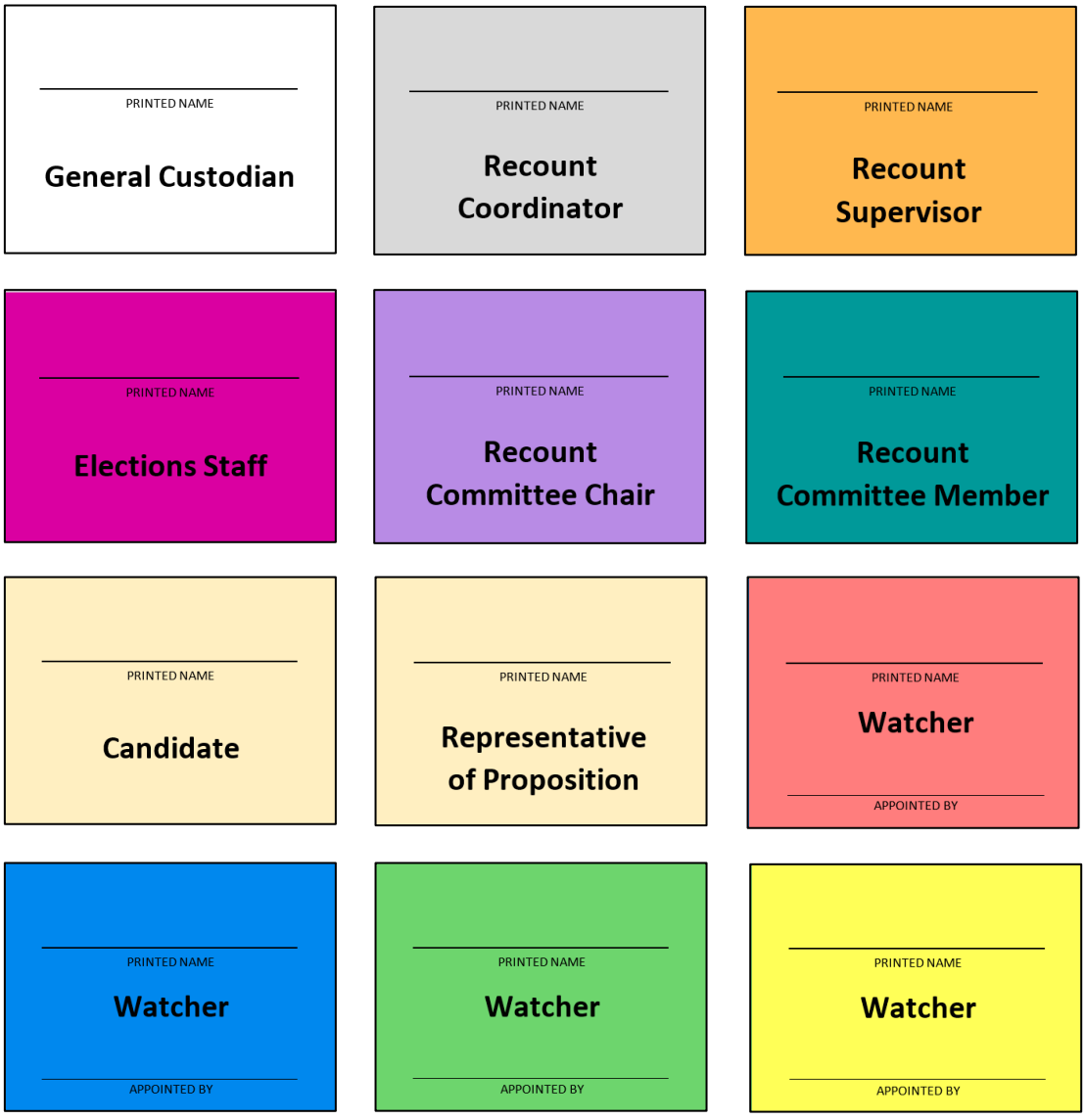
- [ ] Tables and chairs
- [ ] Red pens and calculators
- [ ] Scissors or wire cutters to cut ballot box seals
- [ ] Tacky finger or rubber finger tips
- [ ] Sign-in sheets
  - [ ] Recount Committee
  - [ ] Petitioners/Candidates
  - [ ] Recount Watchers
  - [ ] Elections Staff
- [ ] Timesheets for recount personnel entitled to compensation
- [ ] File folders to keep paperwork in order
- [ ] Color coded credentials for each role
- [ ] Tally sheets
- [ ] List of certified write-in candidates, if applicable
- [ ] Results reports from hand-counted paper ballots or the voting system
- [ ] Ballot adjudication guide for determining voter intent
- [ ] New seals for ballot boxes
- [ ] Chain of custody forms
- [ ] Ballot boxes and keys from legally designated key holders
- [ ] Baskets for sorting ballots
- [ ] Cover sheets for ballot stacks if using the **Sort and Stack Method**
- [ ] Scratch paper
- [ ] Calculator with calculator paper rolls

RECOUNT ORIENTATION MEETING

The Recount Supervisor should conduct an orientation meeting for all participants prior to the start of a recount. The orientation offers the opportunity to describe the process, set expectations, review legal codes and overall procedures for managing a recount.

- Review the eligibility requirements for Recount Committee Members.
    - It is recommended to confirm eligibility before the recount begins. If a recount has already begun and a member of the committee has been found to be ineligible, a new member must be found immediately. All tally sheets must be certified and signed by the member who will be replaced before the ineligible member departs.
- Review the recount schedule including hours and periodic breaks for the Recount Committee.
    - To ensure accuracy, limit each Recount Committee Member to 8 hours per day.
- Designate an area for personal belongings, including water bottles, food, hand sanitizer, and anything that could potentially damage ballots.
- Remind Recount Committee Members and Recount Watchers that the use of personal wireless devices, such as phones and smart watches, is not permitted inside the recount room or within 30 feet of the area where a recount is being conducted.
    - The Recount Coordinator, Recount Supervisor, or Recount Committee Chair is permitted to use personal wireless devices while engaged in official recount conduct.
- Review the check-in process for Recount Committee Members, Petitioners/Candidates, Recount Watchers, and elections staff when entering or leaving the recount room.
- Review Recount Watcher rules. Consider the following:
    - Hold Recount Watchers in a separate room while their credentials are verified. Only issue credentials after accepting a watcher for service.
    - Have a Recount Watcher relinquish the issued credential upon leaving the recount room. If there is another Recount Watcher waiting to enter the room, that Recount Watcher should be admitted.
    - As counting teams complete their work, reduce the number of Recount Watchers in the room to match the legally allowed number of Recount Watchers to counting teams.
        - Only the proper number of Recount Watchers may be on duty at once.
    - Removal of a Recount Watcher for violating a provision of the Texas Election Code.
        - If removed, a Recount Watcher should not be allowed to return to avoid any further interruptions or misconduct during the recount process.
- Provide Recount Committee Members with written instructions on ballot sorting and recounting.
- Review expectations for the flow of information to the Recount Supervisor, Recount Coordinator, Recount Committee Chair, watchers, candidates, and political parties.
    - Include how the Recount Committee Chair should be notified when ballots are challenged or if copies are requested.
- Recount activities will be conducted only when the Recount Committee is officially convened. Activities include, but are not limited to:
    - Sorting ballots;
    - Reading of media on the central accumulator;
    - Recounting ballots using the central scanner;
    - Tallying votes using the ballot of record; and
    - Aggregating hand-counted vote totals.

- Review chain of custody procedures for handling election materials and recount documents.
- Never destroy or discard any incorrectly prepared documents. Write “VOID” across them and store with other recount records for the required retention period.
- Review the security plan and procedures, including whether a recount is being livestreamed.
    - A licensed peace officer is recommended for security purposes but is not required to be present at a recount.
- Review credential policies for all participants in the recount process. It is recommended that the Recount Coordinator or Supervisor issue credentials to watchers upon their arrival and collect them upon their departure.
    - Consider issuing color-coded credentials so that important roles are easily identified from a distance. Watcher credentials must include the name of the party or candidate that appointed the watcher. Credentials should correspond with the generally accepted color of the party or candidate.



Example of color-coded credentials for each role

COMMUNICATIONS PLAN

- The Recount Supervisor or Recount Coordinator may designate a point of contact to coordinate any media calls, interviews, and press conferences.
    - Preliminary results may not be revealed, but the media may be informed of the process, generally, before it has concluded.
- Consider preparing the following documents to help external stakeholders understand a recount:
    - Handouts explaining the recount process; and
    - Information about the race and number of ballots in the recount.

BALLOT MANAGEMENT

The General Custodian of Election Records must make the following ballots or electronic media available to the Recount Committee as necessary:

- Early Voting ballots by mail, including FPCA;
- Early Voting ballots by personal appearance;
- Election Day ballots by personal appearance;
- Limited ballots;
- Presidential ballots;
- Provisional ballots that were accepted for counting, separated by Early Voting or Election Day;
- All other special forms of Early Voting ballots that were accepted for counting; and
    - *See* Chapters 102-106 for more information.
- All ballots that were not scanned by the voting system that had to be duplicated/remade.
    - Provide the original ballot and its duplicate so the original may be examined for questions of voter intent and the duplicate for accuracy.

Recommendations

- Clearly label each type of ballot box and label by party if a separate primary election.
- Create a system for assigning ballot boxes to recounting teams to be sorted and counted.
    - Ensure chain of custody procedures are being followed during the recount process.
    - A runner may be used to drop off and pick up batches from recount teams under the supervision of the Recount Committee Chair. The runner may not be a Recount Watcher.
- When opening a ballot box for sorting or recounting, do not put ballots on the floor at any time.
- Be mindful of the location of ballots at all times. Ensure no ballots get lost in the process.
- Process one category (Ballot by Mail, Early Voting in Person, and Election Day) at a time until finished.
    - A single counting team should not open multiple ballot boxes at the same time.
- The Recount Supervisor or General Custodian of Election Records should not assign a new ballot box to be sorted and counted if there is not sufficient time to finish the recounting process and seal it before the end of day.
    - **Note:** Ballot boxes should never be left unlocked/unsealed overnight.

Preparing Copies of Challenged Ballots

The Recount Committee Chair **must** permit a person entitled to appoint watchers to photocopy, under the chair's supervision, any ballot, including any supporting materials, challenged by the person or the person's watcher. The person who requests the copies **must** pay a reasonable charge for making the copies and, if no photocopying equipment is available, may supply that equipment at the person's expense. The person shall provide a copy on request to another person entitled to appoint watchers to serve at the recount. The person who makes copies should also provide a copy, on request, to another candidate in the same form as the copy made by the person. For example, if a physical copy is made, a physical copy should be provided to the other candidate upon request.

Copies may not be made using personal wireless devices as they are **not permitted** inside a recount room or within 30 feet of the area where a recount is being conducted.

METHODS TO SORT BALLOTS

Individuals specifically permitted by law to be inside the recount room may view the sorting process. During the sorting process no one may ask members of the Recount Committee to turn over any ballots so that he or she may look for the Early Voting Clerk's initials or an Election Day Judge's signature. This action interferes with the conduct of a recount.

Note: If DRE curbside voting equipment is used, votes cast should be counted in the same manner as they were on election night for the recount. A results tape should be reprinted from each DRE. For a manual sort, media should be read into the central accumulator and cast vote records should be printed for sorting.

Manually Sorting
Electronic Sorting

Method #1: Manually Sorting

a. The General Custodian of Election Records may consider providing a ballot manifest that includes the list of the precincts, ballot styles, and quantities of ballots that should be in each ballot box.
b. The petitioner should choose which category (Ballot by Mail, Early Voting in Person, or Election Day) should be sorted and counted first.
    - Refer to Ballot Management for all types of ballots to be recounted.
    - If multiple ballot styles are stored in one ballot box, no additional sorting is needed other than the race to be recounted and by precinct.
c. Divide the Recount Committee into teams of three.
d. The Recount Committee Chair will work with the General Custodian of Election Records to assign ballot boxes to each team for sorting and counting.
    - Only open and sort one ballot box at a time.
    - Do not commingle voted ballots from different ballot boxes.
    - At least two members should verify and break the seals.

Ballots in a **manual recount** will always be sorted and counted by precinct.

Ballots in an **electronic recount** will not be sorted by precinct but by race/ballot style.

- Document the seal numbers for chain of custody.

e. Open the ballot box and preserve the cut seals.
f. One member will remove all ballots from the ballot box and set them on a table in plain view.
g. The sorting team will then sort the ballots to be recounted into stacks, by precinct:
    - Countywide Races
        - Sort by precinct number.
    - District Races
        - Sort by ballots that are in the district and out of the district.
        - Then, sort the ballots in the district by precinct.
    - Primary Elections
        - Sort by party.
        - Then sort the ballots by precinct number.
    - Multipage ballots
        - For ballots with multiple sheets, it is not necessary to group all sheets together when sorting for a recount.
        - Identify the sheet that contains the race to be recounted and sort by precinct.
h. After all ballots have been sorted as indicated above, consider comparing the number of ballots to be recounted to the printed reports for the precinct about to be counted. Stacks may also be divided into smaller groups for ease of counting.
i. The ballots that will not be recounted should be immediately returned to the ballot box. Do not seal the ballot box. The recount will occur immediately after the sort.
j. If the recount will take place at a later time:
    - Place the sorted ballots back in the ballot box, making sure to keep them separate from the other ballots.
    - Lock and seal the ballot box before leaving the recount area.
    - Complete the chain of custody documentation.
        - **Note:** The Secretary of State recommends that ballots be sorted first and then immediately counted.

Consider using colored/labeled pieces of paper or rubber bands to separate the ballots that will be not counted from the ones that will be counted.

Method #2: Electronic Sorting

If a recount is being held in an ES&S county with a central scanner, it may be possible to conduct an electronic sort of the ballots as long as the equipment does not count votes. Consult the vendor for specific instructions.

If the counting function of a central scanner used to sort ballots cannot be disabled, ballots must be manually sorted. Refer to Method #1: Manually Sorting starting at letter “d.”

The General Custodian of Election Records is **not required** to provide any central counting equipment, incur costs related to electronic sorting, or provide extra untested programming. An audit log produced by a central scanner is considered part of the election records and is available for public inspection.

RECOUNT METHODS

Preparing the Tally Sheets

- Two tally sheets per precinct are required to count ballots. One will be placed in the ballot box and the other will be given to the Recount Coordinator so that returns may be prepared.
- Consider color coding tally sheets by category (Ballot by Mail, Early Voting in Person, and Election Day).
- After ballots have been sorted, label the tally sheets for the first precinct to be tallied. Include the candidate names or proposition letters and lines to tally undervotes and overvotes.

Reminders

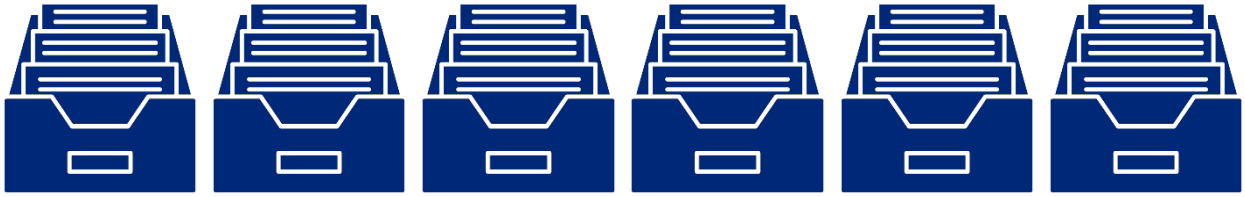
- The Recount Committee Chair has the same authority as a presiding election judge to determine whether a particular ballot may be lawfully counted and how a voter's marking of a ballot should be interpreted.
- Votes must be counted separately by precinct and include overvotes and undervotes.
- Ballots rejected by the Early Voting Ballot Board may not be counted in a recount. [Sec. 213.006]
- For any duplicated/remade ballots, the **original** must be compared to the duplicate for accuracy.
- All write-ins and voter intent issues must be adjudicated.
- For ballots with multiple sheets, if a sheet is missing that contains the race to be recounted, an undervote is not tallied. The missing race was never counted initially.
- Ballots may **not** be counted a second time just because the count does not match any electronic reports that were provided. If both tally sheets agree, the count is final.
- It is up to the petitioner to determine which category (Ballot by Mail, Early Voting in Person, and Election Day) he or she wants tallied first.

> Ensure the duplicate is exact by comparing it to the original. If the duplicated ballot is incorrect, the ballot must be remade and take the place of the original counted ballot.

Manual Sort and Stack
Call, Hashmark, and Verify
Call, Slashmark, and Verify
Electronic Recount (Automatic Tabulating Equipment)

Method #1: Manual Sort and Stack

1. The recount team consists of three members; one caller and two talliers.
2. Two tally sheets should be provided to the recount team.
3. Provide baskets equal to the number of candidates/proposition choices plus two more for overvotes and undervotes. Label all baskets before sorting.
4. Sort the ballots by precinct using one of the methods listed in the Methods to Sort Ballots and ensure chain of custody procedures are being followed.
5. All members of the counting team should sort the ballots by candidate, write-in vote (if applicable), overvote, and undervote.



Candidate A | Candidate B | Candidate C | Write-In | Undervote | Overvote

6. The caller should clearly announce the name of each candidate for whom a vote has been received or whether a vote has been received for or against a measure. Undervotes and overvotes must also be tallied.
7. The talliers should make a hash mark for each vote, as called, in the correct space on the tally sheets.

Candidate/ Proposition Choice	5	10	15	20	25	30	35	40	45	50
Candidate A	𝍸	𝍸	𝍸	𝍸	𝍸	𝍸	𝍸	III		
Candidate B	𝍸	𝍸	𝍸	𝍸	𝍸	II				
Undervotes	II									
Overvotes	I									

Tally Sheet for a Recount – Hash Count Exemplar

8. The counting team should compare the tally lists periodically to determine whether discrepancies exist. Some methods of comparison include:
    a. Talliers calling aloud "Tally" when vote totals reach increments of five to verify all talliers have the same totals or periodically compare totals.
    b. Comparing the total number of votes called to the total number of hashes on the tally sheet.
9. After all stacks have been counted by each member of the counting team and if all totals agree, both tally sheets should be completed and signed.
10. One member will place the recounted ballots and "one" of the two tally sheets in the ballot box.
    a. Consider using colored/labeled pieces of paper or rubber bands to separate the recounted ballots from ballots that were not recounted.
11. Prepare the Recount Returns Sheet as an original and one copy.
    a. Record the cumulative vote totals by precinct for each candidate/proposition, undervotes, and overvotes from the tally sheet to the returns sheet that will then be given to the Recount Committee Chair.
    b. Copy the Recount Returns Sheet once it is complete.
    c. Place the copy of the Recount Returns Sheet in the ballot box along with "one" tally sheet.
12. The recount team shall deliver the following documents to the Recount Committee Chair:
    a. Second tally sheet; and
    b. Original Recount Returns Sheet

13. The recount team or the General Custodian of Election Records applies the lock(s) and seal(s) to the ballot boxes
14. Document the seal numbers for chain of custody.
15. The Recount Committee Chair will use the originals of the Recount Returns Sheets to prepare the Recount Committee Report.
    a. Keep each precinct's documents separate for organizational purposes.
    b. All Recount Returns Sheets should be used to accumulate vote totals.
    c. The vote totals should be classified by category in the final report (Ballot by Mail, Early Voting in Person, and Election Day).
16. Return the following to the General Custodian of Election Records:
    a. Locked and sealed ballot boxes; and
    b. Completed chain of custody documentation.

Method #2: Call, Hashmark, and Verify

1. The recount team consists of three members; one caller and two talliers.
2. Two tally sheets should be provided to the recount team.
3. Sort the ballots using one of the methods listed in the Methods to Sort Ballots and ensure chain of custody procedures are being followed.
4. The caller should clearly announce the name of each candidate for whom a vote has been received or whether a vote has been received for or against a measure. Undervotes and overvotes must also be tallied.
5. The talliers will make a hash mark for each vote, as called, in the correct space on the tally sheets.

Candidate/ Proposition Choice	5	10	15	20	25	30	35	40	45	50
Candidate A	𝍸	𝍸	𝍸	𝍸	𝍸	𝍸	𝍸	III		
Candidate B	𝍸	𝍸	𝍸	𝍸	𝍸	II				
Undervotes	II									
Overvotes	I									

Tally Sheet for a Recount – Hash Count Exemplar

6. The counting team should compare the tally lists periodically to determine whether discrepancies exist. Some methods of comparison include:
    a. Talliers calling aloud "Tally" when vote totals reach increments of five to verify all talliers have the same totals or periodically compare totals.
    b. Comparing the total number of votes called to the total number of hashes on the tally sheet.
    c. Separating stacks by candidate, proposition, undervotes, and overvotes so that stacks can be counted after all tallies are made to ensure totals match.
7. After all stacks have been counted by each member of the counting team and if all totals agree, both tally sheets should be completed and signed.
    a. If a discrepancy exists between the two talliers, the ballots must be recounted to ensure the tally sheets match.
8. One member will place the recounted ballots and "one" of the two tally sheets in the ballot box.

a. Consider using colored/labeled pieces of paper or rubber bands to separate the recounted ballots from ballots that were not recounted.

9. Prepare the Recount Returns Sheet as an original and one copy.
    a. Record the cumulative vote totals by precinct for each candidate/proposition, undervotes, and overvotes from all tally sheets to the returns sheet that will then be given to the Recount Committee Chair.
    b. Copy the Recount Returns Sheet once it is complete.
    c. Place the copy of the Recount Returns Sheet in the ballot box along with "one" tally sheet.
10. The recount team shall deliver the following documents to the Recount Committee Chair:
    a. Second tally sheet; and
    b. Original Recount Returns Sheet
11. The recount team or the General Custodian of Election Records applies the lock(s) and seal(s) to the ballot boxes.
12. Document the seal numbers for chain of custody.
13. The Recount Committee Chair will use the originals of the Recount Returns Sheets to prepare the Recount Committee Report.
    a. Keep each precinct's documents separate for organizational purposes.
    b. All Recount Returns Sheets should be used to accumulate vote totals.
    c. The vote totals should be classified by category (Ballot by Mail, Early Voting in Person, and Election Day) in the final report.
14. Return the following to the General Custodian of Election Records:
    a. Locked and sealed ballot boxes; and
    b. Completed chain of custody documentation.

Method #3: Call, Slashmark, and Verify

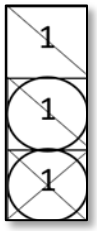
1. The recount team consists of three members; one caller and two talliers.
2. Two tally sheets should be provided to the recount team.
3. Sort the ballots using one of the methods listed in the Methods to Sort Ballots and ensure chain of custody procedures are being followed.
4. The caller should clearly announce the name of each candidate for whom a vote has been received or whether a vote has been received for or against a measure. Undervotes and overvotes must also be tallied.
5. The talliers should make a slash across the correct, numbered space on the tally sheets.

Candidate/Proposition Choice																											Total
Candidate One	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25		
	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50		27
Candidate Two	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25		
	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50		7
Candidate Three	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25		
	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50		10

Tally Sheet for a Recount – Slash Count Exemplar

6. The counting team should compare the tally lists periodically to determine whether discrepancies exist. Some methods of comparison include:

a. Talliers calling aloud “Tally” when vote totals reach increments of five to verify all talliers have the same totals or periodically compare totals.
b. Comparing the total number of votes called to the total number of slashes on the tally sheet.
c. Separating stacks by candidate, proposition, undervotes, and overvotes so that stacks can be counted after all tallies are made to ensure totals match.



7. If a numbered box is mismarked, it can be corrected
    a. Circle the erroneous slash.
    b. Then, mark a slash in the opposite direction to show a subsequent vote for the candidate or measure that was recorded incorrectly.
8. After all ballots have counted by the counting team and if all totals agree, both tally sheets should be completed and signed.
    a. If a discrepancy exists between the two talliers, the ballots must be recounted to ensure the tally sheets match.
9. One Recount Committee Member will place the recounted ballots and “one” of the two tally sheets in the ballot box.
    a. Consider using colored/labeled pieces of paper or rubber bands to separate the recounted ballots from ballots that were not recounted.
10. Prepare the Recount Returns Sheet as an original and one copy.
    a. Record the cumulative vote totals by precinct for each candidate/proposition, undervotes, and overvotes from all tally sheets to the returns sheet that will then be given to the Recount Committee Chair.
    b. Copy the Recount Returns Sheet once it is complete.
    c. Place the copy of the Recount Returns Sheet in the ballot box along with “one” tally sheet.
11. The recount team shall deliver the following documents to the Recount Committee Chair:
    a. Second tally sheet, and
    b. Original Recount Returns Sheet.
12. The recount team or the General Custodian of Election Records applies the lock(s) and seal(s) to the ballot boxes.
13. Document the seal numbers for chain of custody.
14. The Recount Committee Chair will use the originals of the Recount Returns Sheets to prepare the Recount Committee Report.
    a. Keep each precinct’s documents separate for organizational purposes.
    b. All Recount Returns Sheets should be used to accumulate vote totals.
    c. The vote totals should be classified by category (Ballot by Mail, Early Voting in Person, and Election Day) in the final report.
15. Return the following to the General Custodian of Election Records:
    a. Locked and sealed ballot boxes; and
    b. Completed chain of custody documentation.

Reminders

- All ballots must be recounted by precinct.
- Consider putting ballots in stacks of ten for ease of recounting.
- Undervotes and overvotes must be recounted.
- If a discrepancy exists between the two talliers, the ballots must be recounted from the beginning of the batch and the necessary corrections made to the tally sheet. It may be necessary to begin again on a new tally sheet.

Method #4: Electronic Recount (Automatic Tabulating Equipment)

An electronic recount consists of recounting votes using electronic media prepared for the purposes of the recount and scanning only the paper ballots containing the race to be recounted.

Note: The paper ballot is the ballot of record in a recount, not the electronic cast vote record. In the event that an electronic recount is ordered, there should be a contingency plan in place for conducting the recount for Ballots by Mail, Early Voting in Person, and Election Day. Counties should work closely with their vendors before every election to ensure that programming and media is prepared and available to conduct a recount.

It is recommended that the election equipment only be operated by election staff. During the recount process, follow vendor procedures while using tabulating equipment.

The recount must be conducted on the same or similar equipment that was used in the election, unless otherwise requested by the petitioner (e.g., if an election used precinct tabulators, the recount could be tabulated by using central tabulators, if requested).

1. The Second Test of Automatic Tabulating Equipment must be performed before recounting begins. [Sec. 214.046]
    a. The test should be performed in the same manner as performed during the original election. [Sec. 127.098; TAC 81.50]
    b. All members of the Recount Committee must be present.
    c. If a person requesting an electronic recount is dissatisfied with the program or the equipment to be used for the recount after a successful test was conducted, the person may change the method of counting to a manual recount. [Sec. 214.048]
        - **Note:** All terms and conditions set forth by law must be met in order to change the recount method.
2. Sort the ballots using one of the methods listed in the Methods to Sort Ballots and ensure chain of custody procedures are being followed.
    - **Note:** It is not necessary to separate the ballots by precinct because the automatic tabulating equipment will keep track of each precinct's votes and display the totals when a report is printed.
3. Follow vendor procedures to open precinct and central tabulators:
    a. Load the election on all automatic tabulating equipment being used;
    b. Open the polls; and
    c. Print the zero report.
4. When scanning voted ballots, there should be a precinct tabulator for each of the categories (Ballot by Mail, Early Voting in Person, Election Day, and Provisional, if applicable). If a central tabulator is being used, follow the vendor instructions on how to batch between the categories.
5. Scan sorted ballots by each ballot box one at a time. Follow chain of custody procedures.
6. Once all ballots are scanned, follow vendor procedures to close precinct and central tabulators:
    a. Close the polls;
    b. Print the precinct by precinct and summary/cumulative reports; and
    c. Remove the media stick.

7. Once ballots are scanned, the recount team or the General Custodian of Election Records should apply the lock(s) and seal(s) to the ballot boxes and document the seal number(s) for chain of custody.
8. Media sticks should be read in the central accumulator, commonly called the central counting station computer. Follow vendor procedures when reading the media.
    - *Reminder:* A zero report must be printed before reading media in the central accumulator.
9. Adjudication of write-ins, duplicates/remakes, and resolution of voter intent issues must be completed.
10. Once all media has been read, write-ins adjudicated, and votes accumulated, final reports should be titled and printed from the central accumulator:
    a. Precinct by precinct report; and
    b. Summary/cumulative report.
11. Immediately after recounting the official election media, the Third Test of Automatic Tabulating Equipment shall be performed.
    a. The test should be performed in the same manner as performed during the original election. [Sec. 127.098; T.A.C. 81.50]
    b. All members of the Recount Committee must be present.
12. Using the printed reports, prepare the Recount Returns Sheets as an original and one copy.
    a. Record the cumulative vote totals by precinct for each candidate/proposition, undervotes, and overvotes from the generated precinct by precinct report that will be given to the Recount Committee Chair.
    b. Copy the Recount Returns Sheets once it is complete.
13. The recount team shall deliver the following documents to the Recount Committee Chair:
    a. Original and copy of printed recount reports; and
    b. Original and copy of Recount Returns Sheets.
14. The Recount Committee Chair will use the originals of the Recount Returns Sheets to prepare the Recount Committee Report.
    a. The vote totals should be classified by category (Ballot by Mail, Early Voting in Person, and Election Day) in the final report.
15. Return the following to the General Custodian of Election Records:
    a. Locked and sealed ballot boxes;
    b. Completed chain of custody documentation;
    c. Copy of the printed recount reports; and
    d. Copy of the Recount Returns Sheets.
        - The General Custodian of Election Records must store copies of the reports and Recount Returns Sheets in a locked, secure container for the period for preserving precinct election records.

WITHDRAWAL OF A RECOUNT PETITION

In order to withdraw from a recount, the petitioner must submit, in writing, a Request to Withdraw a Recount Petition (Form 14-8) to the Recount Coordinator. The request to withdraw must include the following:

- Identify the office or measure for which a recount is requested;
- Reason for the withdrawal;

- A statement acknowledging that once the petition is withdrawn, the petitioner may not petition again for a recount of that election;
- A statement acknowledging that the results of the canvass are official;
- A statement acknowledging that money properly expended toward the holding of a recount before the Request to Withdraw a Recount Petition was submitted will be subtracted from the amount of the deposit that is refunded;
- Signature of the petitioner/candidate (or agent) requesting the withdrawal;
- The printed name, address, and phone number of the petitioner/candidate (or agent) requesting the withdrawal; and
- A notary public signature and seal.

Upon receipt of the Request to Withdraw a Recount Petition, the Recount Coordinator is required to promptly notify all parties eligible to receive notice of the recount under 212.032 that the request has been submitted and the recount has been canceled. [Sec. 212.006] Once the petitioner has withdrawn from the recount, the petitioner may not petition again for a recount of that election.

POST RECOUNT ACTIVITIES

Reports and Notice of Outcome of Recount

Recount Committee's Report—The Recount Committee Chair is responsible for creating a precinct by precinct report of the Recount Committee's count and delivering a copy of the report to the Recount Supervisor and General Custodian of Election Records. The Recount Supervisor must promptly notify the Recount Coordinator of the result of the recount. [Sec. 213.054]

Recount Supervisor's Report—Upon receipt of the Recount Committee's report, the Recount Supervisor must prepare and sign a precinct by precinct report, using the report submitted by the Recount Committee and the original election returns for any precinct not counted by the committee. The supervisor must deliver a copy of the report to the Recount Coordinator and General Custodian of Election Records.

- Recount Watchers are entitled to observe any activity conducted in connection with a recount. Only the number of watchers allowed by law may be present.

After receiving the Recount Supervisor's report, the Recount Coordinator must determine the result of a recount and notify the petitioner, opposing candidates, and any other people entitled to notice under 212.032. If a multi-jurisdictional recount was conducted, the Recount Coordinator will coordinate all reports and aggregate all totals.

If a recount changes the vote totals for any candidate/measure, overvote, or undervote, regardless of whether the outcome of the race changed, the contest must be recanvassed by the canvassing authority. Notification of any changes to vote totals or the outcome must be sent to the Office of Secretary of State.

A new recount petition cannot be filed at the conclusion of an initial recount if the petitioner or other person is not satisfied with the outcome. The only recourse after the recount has concluded is to file an election contest.

Returning Ballot Boxes to the General Custodian of Election Records

The General Custodian of Election Records is responsible for ensuring ballot boxes are locked, sealed, and supporting chain of custody documents are present. Ballot boxes and records must be stored in a secure area for the required retention period. If the election took place within the past 60 days, ballots must remain in their original ballot boxes.

CANVASS FOLLOWING RECOUNT

If no change occurs in the recount in the number of votes received for a candidate or for or against a measure, the official result of the election is determined from the original canvass.

If the recount changes the **number** of votes, regardless of a change in the outcome, the canvassing authority must conduct a canvass for the office or measure involved as soon as practicable after completion of the recount, using the Recount Committee report in the Recount Supervisor's possession. The new canvass is the official canvass for all purposes, including calculating the filing deadlines for an election contest. [Sec. 213.033]

If the canvassing board consists of **more** than five members, the presiding officer and four other members of the board may canvass the recount, if required to do so by the presiding officer. [Sec. 213.014]

For the canvass following an expedited recount, the Recount Coordinator may determine the outcome of the recount via a telephone call or fax received from the Recount Supervisor, rather than waiting for the supervisor's written report, if waiting would delay the canvass and disrupt the orderly conduct of the runoff election. [Sec. 213.058]

DETERMINING THE FINAL COST

If the outcome of the election changes, the political subdivision is responsible for the costs of a recount and the deposit must be refunded to the petitioner. If the outcome of the election does not change, the petitioner must bear the costs of a recount. The only costs that can be assessed to the petitioner are:

- Compensation for members of the Recount Committee. [Sec. 213.004]
    - **Note:** The hourly rate is set by the Recount Supervisor and may not exceed the maximum hourly rate for election judges.
- Charges for use of automatic tabulating equipment. [Sec. 214.044]
    - **Note:** Please contact the legal team within the Elections Division of the Office of the Secretary of State for regulations on charging for the use of automatic tabulating equipment during a recount. Charges may vary based on the type of election.
- A service charge of $15 for each Recount Supervisor involved in the recount as a reimbursement to the fund from which the telephone, postage, and other office expenses of the Recount Supervisor are paid.
- In a recount of an election for which the final canvass is at the state level, a service charge of $15 for each Recount Supervisor involved in the recount plus an additional $50 as a reimbursement to the fund from which the telephone, postage, and other office expenses of the Recount Supervisor are paid.
- The actual expense incurred in producing a printed ballot image from an electronic voting system record.

- Charges associated with copying challenged ballots and, if applicable, providing copies to another candidate. [Sec. 213.013]
    - **Note:** The Recount Supervisor is required to maintain the costs attributable to each petitioner whose petition of a recount was accepted.

At the conclusion of a recount, the Recount Coordinator must provide the petitioner an itemized statement of the costs upon request. The Recount Coordinator must retain a copy of any statement furnished for the period of preserving precinct election records. The petitioner is entitled to inspect the cost records provided by the Recount Supervisor(s) in whose jurisdiction any of the costs accrued.

The Recount Coordinator must determine the allocation of the costs and process the deposits as soon as possible after a recount is completed. After all costs are determined:

If the total balance is **negative**, the petitioner owes additional funds to the authority responsible for paying the expenses of the election. If the total balance is **positive**, the petitioner is owed a refund by Recount Coordinator to whom the deposit was originally paid.

Collection of Costs

- If the petitioner is assessed costs in an amount that exceeds the petitioner's deposit, the Recount Coordinator shall take appropriate action to obtain payment of the amount owed.
- If an amount owed is unpaid on the 90th day after the date payment is demanded, the Recount Coordinator shall refer the matter to the appropriate authority for legal action to collect the amount owed.
- On referral of an amount for collection, the Recount Coordinator and Recount Supervisor involved in a recount shall deliver to the authority to whom the referral is made the originals or copies of documents, records, or other papers in the coordinator's or supervisor's possession that may be relevant to enforcement of the claim. The coordinator may not deliver the original of a document during the period for preserving the precinct election records. [Sec. 215.010]

APPENDIX A: RECOUNT FORMS

Petition Requesting a Recount (Form 14-1)

14-1
Prescribed by Secretary of State
Sections 212.001, 212.022, 212.0241, 212.024, 212.131, 212.028, 212.088, Texas Election Code
2/2026

PETITION REQUESTING A RECOUNT

The following petition may be used for requesting a recount as provided by Section 212.001 of the Texas Election Code.

To: _____
(printed name of presiding officer of canvassing authority)

Request for a Recount for an Office

I, _____, hereby request a recount for the office of
(printed name of petitioner)

_____ for the election that took place on
(printed name of office for which the recount is desired)

_____/_____/_____ in _____.
(date of election) (printed name of political subdivision)

Request for a Recount on a Measure

I, _____, hereby request a recount for the following
(printed name of petitioner)

measure _____ for the election that took place on
(printed name of measure)

_____/_____/_____ in _____.
(date of election) (printed name of political subdivision)

Indicate the side the petitioner represents (check one): ☐ For ☐ Against

Indicate the applicable grounds (check one or more):

- ☐ Difference between the number of votes received by the petitioner and the number of votes received by person who was elected or is entitled to a place on the runoff election ballot is less than 10% of the number of votes received by the person elected or entitled to a place on the runoff ballot; **OR**
- ☐ Number of votes received by all candidates is less than 1000; **OR**
- ☐ An electronic voting system was used in the election; **OR**
- ☐ An election judge swears that he or she counted paper ballots incorrectly (must also be certified by the Secretary of State).

Identify each voter registration precinct for which a recount is being requested AND identify the method of voting used in each precinct:			

If an electronic system was used in the election, I hereby request (check one):

☐ Manual Recount (hand-counted) ☐ Electronic Recount

X	
Signature of Person(s) or Agent of Person(s) Requesting the the Recount	Printed Name of Person(s) or Agent of Person(s) Requesting the Recount

List the recount petitioners(s) name, mailing address, at least one phone number and email address, voter registration number (if authorization to obtain the recount is based on eligibility to vote in the election), and county of registration (if the election covers territory in more than one county):

Name	*Mailing Address*	*Phone Number*	*Email Address*	*Voter Registration No./ County of Registration*

Provide the name, mailing address, email address, and phone number for each opposing candidate (or agent):

Name of Opposing Candidate (or Agent)	*Mailing Address*	*Email Address*	*Phone Number*

14-1
Prescribed by Secretary of State
Sections 212.001, 212.022, 212.0241, 212.024, 212.131, 212.028, 212.088, Texas Election Code
2/2026

INSTRUCTIONS

1. For a county or precinct level county office, the petition is submitted to the County Judge; and to the County Chair in primaries. For state and district offices, the petition is submitted to the Secretary of State; and to the State Party Chair in primary elections. For a municipal election, the petition is submitted to the Mayor. For a school district election, the petition is submitted to the president of the school board. For all other elections, submit the petition to the presiding officer of the board of directors.

2. Types of electronic voting systems include optical scan, in which hand-marked paper ballots are read by a light sensitive scanner; and direct recording electronic (DRE) systems, in which the voter votes directly onto the voting device.

3. The amount of the deposit due, which **must** be presented at the time the petition is filed, is based in part on the number of election day polling places or precincts. Note that in this context, precinct means voter registration precinct(s). Early voting ballots are considered to be one additional polling place or voter registration precinct. This means the petitioner should determine the total number of voter registration precincts that contained the race or measure that is the subject of the recount and compare that number to the total number of election day polling places used in the election, then include one additional polling place or voter registration precinct to that number (for early voting ballots) in order to determine the total deposit due.
    - $60.00 for each election day polling location or voter registration precinct, whichever results in a smaller amount, in which *regular paper ballots* were used.
    - $100.00 for each election day polling location or voter registration precinct, whichever results in a smaller amount, in which an *electronic voting system* was used.

4. The deposit must be in the form of cash, cashier's check, or money order made payable to the recount coordinator and **must** accompany the petition. **The deposit may not be paid with a personal check.** [Section 212.111, Texas Election Code]

Visit https://www.sos.texas.gov/elections/laws/recounts.shtml for additional information regarding the filing of a recount petition.

Petition Requesting a Recount - Notes (Form 14-1)

14-1
Prescribed by Secretary of State
Sections 212.001, 212.022, 212.0241, 212.024, 212.131, 212.028, 212.088, Texas Election Code
2/2026

Name of Form:
Petition Requesting a Recount

Section Reference:
Sections 212.001, 212.022, 212.0241, 212.024, 212.131, 212.028, 212.088, 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; **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:

A. **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 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.

B. **Expedited:** When a majority vote (not plurality) is required AND there were more than two candidates, the deadline is 2 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 a.m. of the next business day. [Secs. 2.025, 2.023, 212.083, 212.088]

14-1
Prescribed by Secretary of State
Sections 212.001, 212.022, 212.0241, 212.024, 212.131, 212.028, 212.088, Texas Election Code
2/2026

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

Version:
Current form is dated 2/2026*
**Previous versions of the form dated 9/2023 and 11/2021 may still be used*

Certificate of Appointment of a Watcher for a Recount (Form 14-2)

14-2
Prescribed by Secretary of State
Section 213.013, Texas Election Code
2/2026

CERTIFICATE OF APPOINTMENT OF A WATCHER FOR A RECOUNT
(CERTIFICADO DE NOMBRAMIENTO DE UN OBSERVADOR PARA UN RECUENTO)

To the Recount Committee Chair: *(Al Presidente del Comité de Recuento:)*

The following person has been appointed to serve as a watcher. *(La siguiente persona ha sido nombrada para servir como un observador.)*

Name of Watcher: *(Nombre del Observador:)*	**Candidate or Other Appointing Authority:** *(Candidato u Otra Autoridad Facultada para Proceder a los Nombramientos:)*
Name and Date of Election: If measure election, identify the side representing *(Nombre y Fecha de las Elecciones: Si es una elección para una medida, identifique el lado que representa)*	**Time and Location of Recount:** *(Hora y Ubicación del Recuento:)*

X	
Signature of Candidate or Other Appointing Authority *(Firma del Candidato u Otra Autoridad Facultada para Proceder a los Nombramientos)*	**Printed Name and Title of Candidate or Other Appointing Authority** *(Nombre en letra de molde y título del Candidato u Otra Autoridad Facultada para Proceder a los Nombramientos)*
X	X
Signature of Watcher *(Firma del Observador(a))*	**Signature of Recount Committee Chair** *(Firma del Presidente del Comité de Recuento)*

Watcher: (check one) *(Observador: (marque uno))*

☐ **Accepted** *(Aceptado)* ☐ **Rejected** *(Rechazado)*

Notice: *(Aviso:)* **No mechanical or electronic means of recording images or sound and no wireless communication devices are allowed inside the room in which the recount is conducted, or in any hallway or corridor in the building in which the recount is conducted within 30 feet of the entrance to the room, while the recount is in progress unless the representative agrees to disable or deactivate the device while present at the recount.** *(No se permite ningún medio mecánico o electrónico de grabación de imágenes o sonido, ni ningúna comunicación inalámbrica dentro de la sala en la que se realiza el recuento, ni en ningún pasillo o corredor del edificio en el que se realiza el recuento a menos de 30 pies de la entrada de la sala mientras se realiza el recuento, a menos que el/la representante acepte desactivar o inutilizar el dispositivo mientras esté presente en el recuento.)*

SEE REVERSE SIDE FOR INSTRUCTIONS
(CONSULTE EL REVERSO PARA INSTRUCCIONES)

14-2
Prescribed by Secretary of State
Section 213.013, Texas Election Code
2/2026

INSTRUCTIONS

(INSTRUCCIONES)

1. **The appointing authority may be a candidate in the election, a representative of a political party with a nominee on the ballot, or the campaign treasurer or assistant campaign treasurer of a specific-purpose political committee that supports or opposes the measure.** *(La autoridad nominadora puede ser un candidato en las elecciones, un representante de un partido político con un candidato en la boleta, o el tesorero de la campaña o el tesorero adjunto de la campaña de un comité político con fines específicos que apoya o se opone a la medida.)*

2. **If the watcher is accepted for service, the Recount Committee Chair shall keep the certificate and deliver it to the recount coordinator after the recount for preservation under Section 211.007, Texas Election Code. If the watcher is not accepted for service, the Recount Committee Chair shall return the certificate to the watcher with a signed statement of the reason for the rejection.** *(Si el observador es aceptado para el servicio, el Presidente del Comité de Recuento conservará el certificado y lo entregará al coordinador de recuento después del recuento para su conservación según la Sección 211.007, Código Electoral de Texas. Si el observador no es aceptado para el servicio, el Presidente del Comité de Recuento devolverá el certificado al observador con una declaración firmada de la razón del rechazo.)*

Certificate of Appointment of a Watcher for a Recount - Notes (Form 14-2)

14-2
Prescribed by Secretary of State
Section 213.013, Texas Election Code
2/2026

Name of Form:
Certificate of Appointment of Watcher for a Recount

Section Reference:
Section 213.013, Texas Election Code

Purpose:
Appoint a watcher to serve at a recount.

Number of Copies Required:
One per watcher appointed

Completed by:
Candidate or appointing authority

Filing Date:
At the time that the watcher reports for duty.

Filed with:
The Recount Committee Chair when the watcher reports for duty.

Comments:
Each candidate is entitled to appoint a minimum of two watchers or a number of watchers equal to the number of counting teams that will be used during the recount, whichever is greater.

Version:
Current form is dated 2/2026*.
**Previous versions of the form dated 9/2023 and 11/2021 may still be used.*

Certificate of Appointment of a Recount Committee (Form 14-3)

14-3
Prescribed by Secretary of State
Sections 213.002(a), 212.003, Texas Election Code
2/2026

CERTIFICATE OF APPOINTMENT OF A RECOUNT COMMITTEE

I, Recount Supervisor for the _____ recount,
(name of office/measure for which the recount petition was filed)

do hereby appoint the following persons to the Recount Committee for the above-named recount.

Number of Counting Team(s)* Appointed:		
	Printed Name of Appointed Member	**VUID Number of Appointee**
Team 1		

*If multiple counting teams are needed, list names in **groups of three** on the subsequent pages.

X	
Signature of Recount Supervisor	Printed Name of Recount Supervisor

☐☐/☐☐/☐☐☐☐
Date (mm/dd/yyyy)

Eligibility Requirements for Appointment to a Recount Committee

- A person **must** be a qualified voter of the political subdivision served by the Recount Supervisor and must otherwise meet the eligibility requirements prescribed by the Texas Election Code for precinct election judges and clerks.
- A person who is appointed as a member of a Recount Committee by the Secretary of State or a State Party Chair and who otherwise meets the eligibility requirements prescribed by the Texas Election Code for precinct election judges and clerks is **eligible** for appointment regardless of whether the person is a qualified voter of the political subdivision served by the Recount Supervisor.
- Any person from this list, who is willing to accept the appointment, may be appointed by the Recount Supervisor to serve as the Recount Chair.

Ineligibility to Serve on a Recount Committee

- A person who served as a Presiding Judge or Alternate Judge of an Election Day polling place or a person who served as a Presiding Judge or Alternate Judge of the Early Voting Ballot Board is **not eligible** for appointment to a Recount Committee. This prohibition does not apply to election workers that served during Early Voting.

	Printed Name of Appointed Member	VUID Number of Appointee
Team 2		
Team 3		
Team 4		

	Printed Name of Appointed Member	VUID Number of Appointee
Team 5		
Team 6		
Team 7		
Team 8		
Team 9		
Team 10		

Certificate of Appointment of a Recount Committee - Notes (Form 14-3)

14-3
Prescribed by Secretary of State
Sections 213.002(a), 212.003, Texas Election Code
2/2026

Name of Form:
Certificate of Appointment of a Recount Committee

Section Reference:
Sections 213.002(a), 212.003, Texas Election Code

Purpose:
To officially appoint members to the Recount Committee.

Number of Copies Required:
One

Completed by:
Recount Supervisor

Filing Date:
As soon as practicable in order to timely prepare for the recount.

Filed With:
Presiding Officer of the Local Canvassing Authority/Recount Coordinator

Comments:
Section 211.004, Texas Election Code, designates other persons to serve as Recount Coordinator in the event that the Presiding Officer of the Canvassing Authority is ineligible or unable to serve.

Certificate of Appointment of a Recount Committee Chair (Form 14-4)

14-4
Prescribed by Secretary of State
Sections, 213.002(b), Texas Election Code
2/2026

CERTIFICATE OF APPOINTMENT OF A RECOUNT COMMITTEE CHAIR

I, Recount Supervisor of the _____ recount,
(name of office/measure for which the recount petition was filed)

do hereby appoint _____ to serve as
(printed name of appointee)

Recount Committee Chair.

X		
Signature of Recount Supervisor		Printed Name of Recount Supervisor

☐☐/☐☐/☐☐☐☐
Date (mm/dd/yyyy)

INSTRUCTIONS

The Recount Supervisor shall appoint a chair from among the membership of the Recount Committee. [Section 213.002(b), Texas Election Code]

Certificate of Appointment of a Recount Committee Chair - Notes (Form 14-4)

14-4
Prescribed by Secretary of State
Section 213.002(b), Texas Election Code
2/2026

Name of Form:
Certificate of Appointment of a Recount Committee Chair

Section Reference:
Section 213.002(b), Texas Election Code

Purpose:
To provide a form so that the Recount Supervisor can officially designate one member of the Recount Committee to serve as the Recount Committee Chair.

Number of Copies Required:
One

Completed by:
The person that is legally designated as the Recount Supervisor.

Filing Date:
To be completed as soon as the Recount Committee has been appointed.

Filed With:
The Recount Supervisor to be placed into the recount records.

14-5
Prescribed by Secretary of State
Secs. 65.005, 65.006, 65.008, 14.002, 214.003, 214.050, Texas Election Code
2/2026

TALLY SHEET FOR A RECOUNT - HASH COUNT

Office/Measure to be Recounted:		Date of Election:
Precinct Number:	Category: (circle one) EV Mail EDay	Recount Committee Chair:
Polling Location:		

Printed Name of Caller: _____ Signature of Caller: _____

Printed Name of Tallier: _____ Signature of Tallier: _____

Printed Name of Tallier: _____ Signature of Tallier: _____

Candidate/Proposition Choice	5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90	95	100	Total
Undervotes																					
Overvotes																					

I hereby certify that the within and foregoing is a true and correct tally list kept by me for the above described recount.

Printed Name of Tallier: _____ Signature of Tallier: _____ Date: ____/____/____ Page: _____ of _____

14-5
Prescribed by Secretary of State
Sections 65.005, 65.006, 65.008, 214.002, 214.003, 214.050, Texas Election Code
2/2026

INSTRUCTIONS
Tally Sheet for a Recount – Hash Count

1. There must be two original tally sheets kept.

2. Each tally sheet must include:
   - Office/Measure to be Recounted
   - Date of Election
   - Precinct Number
   - Polling Location
   - Recount Committee Chair
   - Ballot Category (Early Voting, By Mail, or Election Day)
   - Printed Name of Caller and Talliers
   - Signature of Caller and Talliers

3. One member of the counting team shall examine each ballot and clearly announce the name of each candidate for whom a vote has been received or whether a vote has been received for or against a proposition. The other members of the counting team shall record the votes on the tally lists as they are announced (*see* example below).

Candidate/ Proposition Choice	5	10	15	20	25	30	35	40	45	50
Candidate A	𝍸	𝍸	𝍸	𝍸	𝍸	𝍸	𝍸	III		
Candidate B	𝍸	𝍸	𝍸	𝍸	𝍸	II				
Undervotes	II									
Overvotes	I									

4. The counting team shall compare the tally lists periodically to determine whether discrepancies exist between them. If a discrepancy is discovered, the ballots shall be recounted and the necessary corrections shall be made on the lists. [Sec. 65.005(b)]

5. For valid write-in votes for candidates whose names do not appear on the ballot, the name of the write-in candidate shall be entered on the tally list and the votes shall be tallied in the same manner as votes for a candidate whose name appears on the ballot. [Sec. 65.008]

6. A member of a counting team may not be replaced after vote tallying is begun unless each existing discrepancy among the 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 shall certify the accuracy of the list the officer has kept, as of the time of the replacement, by signing the list at that time. [Sec. 65.006]

7. On completing the count, each member of the counting team assigned to tally votes shall compute the total number of votes tallied on the list the member has kept and enter the totals on the tally list. After verifying that the lists are in agreement, each counting officer shall sign the list that the officer has kept. [65.005(c)]

8. After counting concludes, prepare the Recount Returns Sheet using the completed tally sheets.

Tally Sheet for a Recount - Hash Count - Notes (Form 14-5)

14-5
Prescribed by Secretary of State
Sections 65.005, 65.006, 65.008, 214.002, 214.003, 214.050, Texas Election Code
2/2026

Name of Form:
Tally Sheet for a Recount – Hash Count

Section Reference:
Sections 65.005, 65.006, 65.008, 214.002, 214.003, 214.050, Texas Election Code

Purpose:
Keep a tally of all votes received for candidates and measures in the recount.

Number of Copies Required:
Two – One for the ballot box after the votes are tallied and one for the Recount Committee Chair.

Completed by:
All persons on the recount team that counted the ballots. The caller and the two talliers will provide their printed names and signatures and the tallier that kept the count will sign and date the tally sheet at the bottom to attest that the count is accurate.

Filing Date:
To be completed as soon as the recount team that counted the ballots has completed the count.

Filed With:
One copy is placed in the ballot box with the voted ballots and the other is given to the Recount Committee Chair.

Tally Sheet for a Recount - Slash Count (Form 14-6)

14-6
Prescribed by Secretary of State
Secs. 65.005, 65.006, 65.008, 214.002, 214.003, 214.050, Texas Election Code
2/2026

TALLY SHEET FOR A RECOUNT - SLASH COUNT

Printed Name of Caller: ____________________ **Signature of Caller:** ____________________

Printed Name of Tallier: ____________________ **Signature of Tallier:** ____________________

Printed Name of Tallier: ____________________ **Signature of Tallier:** ____________________

Office/Measure to be Recounted:		**Date of Election:**
Precinct Number:	**Category:** (circle one) EV Mail EDay	**Recount Committee Chair:**
Polling Location:		

Candidate/Proposition Choice																										Total
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	
	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	
	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	
	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	
	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	
	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	
Undervotes	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	
	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	
Overvotes	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	
	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	

I hereby certify that the within and foregoing is a true and correct tally list kept by me for the above described recount.

Printed Name of Tallier: ____________________ **Signature of Tallier:** ____________________ **Date:** ____/____/____ **Page:** ____ **of** ____

14-6
Prescribed by Secretary of State
Sections 65.005, 65.006, 65.008, 214.002, 214.003, 214.050, Texas Election Code
2/2026

INSTRUCTIONS
Tally Sheet for a Recount – Slash Count

1. There must be two original tally sheets kept.

2. Each tally sheet must include:
   - Office/Measure to be Recounted
   - Date of Election
   - Precinct Number
   - Polling Location
   - Recount Committee Chair
   - Ballot Category (Early Voting, By Mail, or Election Day)
   - Printed Name of Caller and Talliers
   - Signature of Caller and Talliers

3. One member of the counting team shall examine each ballot and clearly announce the name of each candidate for whom a vote has been received or whether a vote has been received for or against a proposition. The other members of the counting team shall record the votes on the tally lists as they are announced (see example below).

Candidate/Proposition Choice																										Total
Candidate One	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	
	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	27
Candidate Two	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	
	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	7
Candidate Three	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	
	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	10

4. The counting team shall compare the tally lists periodically to determine whether discrepancies exist between them. If a discrepancy is discovered, the ballots shall be recounted and the necessary corrections shall be made on the lists. [Sec. 65.005(b)]

5. For valid write-in votes for candidates whose names do not appear on the ballot, the name of the write-in candidate shall be entered on the tally list and the votes shall be tallied in the same manner as votes for a candidate whose name appears on the ballot. [Sec. 65.008]

6. A member of a counting team may not be replaced after vote tallying is begun unless each existing discrepancy among the 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 shall certify the accuracy of the list the officer has kept, as of the time of the replacement, by signing the list at that time. [Sec. 65.006]

7. On completing the count, each member of the counting team assigned to tally votes shall compute the total number of votes tallied on the list the member has kept and enter the totals on the tally list. After verifying that the lists are in agreement, each counting officer shall sign the list that the officer has kept. [Sec. 65.005(c)]

8. After counting concludes, prepare the Recount Returns Sheet using the completed tally sheets.

Tally Sheet for a Recount - Slash Count - Notes (Form 14-6)

14-6
Prescribed by Secretary of State
Sections 65.005, 65.006, 65.008, 214.002, 214.003, 214.050, Texas Election Code
2/2026

Name of Form:
Tally Sheet for a Recount – Slash Count

Section Reference:
Sections 65.005, 65.006, 65.008, 214.002, 214.003, 214.050, Texas Election Code

Purpose:
Keep a tally of all votes received for candidates and measures in the recount.

Number of Copies Required:
Two – One for the ballot box after the votes are tallied and one for the Recount Committee Chair.

Completed by:
All persons on the recount team that counted the ballots. The caller and the two talliers will provide their printed names and signatures and the tallier that kept the count will sign and date the tally sheet at the bottom to attest that the count is accurate.

Filing Date:
To be completed as soon as the recount team that counted the ballots has completed the count.

Filed With:
One copy is placed in the ballot box with the voted ballots and the other is given to the Recount Committee Chair.

Recount Returns Sheet (Form 14-7)

14-7
Prescribed by Secretary of State
Sections 214.049, 214.050, 214.051,
Texas Election Code
2/2026

Precinct Number:	Authority Conducting Election:
Date of Election:	Type of Election:

RECOUNT RETURNS SHEET

Name of Office Sought or Proposition	Name of Candidate or "For" or "Against" the Proposition	Number of Votes Received
	Undervotes	
	Overvotes	
	Total Votes Counted	

We, the undersigned members of the Recount Committee for the above described election do hereby certify that the above returns are a true and correct returns for said election.

X
Signature of Counting Team Member

Printed Name of Counting Team Member

X
Signature of Counting Team Member

Printed Name of Counting Team Member

X
Signature of Counting Team Member

Printed Name of Counting Team Member

X
Signature of Recount Committee Chair

Printed Name of Recount Committee Chair

□□/□□/□□□□
Date (mm/dd/yyyy)

Recount Returns Sheet - Notes (Form 14-7)

14-7
Prescribed by Secretary of State
Sections 213.055, 214.049, 214.050, 214.051, Texas Election Code
2/2026

Name of Form:
Recount Returns Sheet

Section Reference:
Sections 213.055, 214.049, 214.050, 214.051, Texas Election Code

Purpose:
The Recount Returns Sheet is used to determine the official results of the recount for each precinct.

Number of Copies Required:
The Recount Returns Sheet shall be prepared as an original and one copy.

Completed by:
The Recount Committee that counted the ballots and the Recount Committee Chair.

Filing Date:
As soon as the Recount Returns Sheet is completed.

Filed With:

A. **Manual Count**—The original of the Recount Returns Sheet is given to the Recount Committee Chair and the copy is placed in the ballot box containing the voted ballots.

B. **Electronic Count**—The original Recount Returns Sheet is given to the Recount Committee Chair and the copy of all Recount Returns Sheets should be given to the General Custodian to store in a secure, locked container for the period for preserving precinct election records.

Comments:

- **Candidate Races**—List each candidate's name and any write-in candidates in the race to be recounted on the Recount Returns Sheet. Undervotes and overvotes must be included. Record the number of votes for each candidate, write-in candidates (if applicable) and the total of undervotes and overvotes.

- **Propositions or Measures**—List votes "For" and "Against" the measure. Totals for undervotes and overvotes must be included.

Request to Withdraw a Recount Petition (Form 14-8)

14-8
Prescribed by Secretary of State
Sections 212.006, Texas Election Code
2/2026

REQUEST TO WITHDRAW A RECOUNT PETITION

(SOLICITUD DE RETIRO DE UNA PETICIÓN DE RECUENTO)

1

I, _____, wish to withdraw my petition for a recount for the office/
(name of petitioner)

measure _____. The reason for my request to withdraw is:
(name of office/measure for which the recount petition was filed)

_____

_____

I understand that once my petition for the recount is withdrawn, that I may not petition again for a recount of the same election. I acknowledge that the results of the canvass are official. I also acknowledge that the money properly expended toward the holding of the recount, before the request was submitted, will be subtracted from the amount of the deposit that is refunded.

Yo, _____, deseo retirar mi petición de recuento para el cargo/la medida de
(nombre del solicitante)

_____. *El motivo de mi solicitud de retiro es:*
(nombre del cargo/medida para el que se presentó la petición de recuento)

_____

_____

Entiendo que una vez que se retire mi petición de recuento, no podré volver a solicitar un recuento de la misma elección. Reconozco que los resultados del escrutinio son oficiales. También reconozco que el dinero debidamente gastado para la celebración del recuento, antes de que se presentara la solicitud, se restará del importe del depósito que se reembolsará.

2

X _____
Signature of Petitioner or Agent
(Firma del Solicitante o Agente)

_____
Printed Name of Petitioner or Agent
(Nombre del Solicitante o Agente en letra de molde)

_____
Address of Petitioner or Agent
(Dirección del Solicitante o Agente)

☐☐☐-☐☐☐-☐☐☐☐
Telephone Number of Petitioner or Agent
(Número de Teléfono del Solicitante o Agente)

Is the requestor an agent of the person requesting the withdrawal? (check one) ☐ **Yes** *(Sí)* ☐ **No** *(No)*
(Es el solicitante un agente de la persona que solicita la retirada?) (marque uno)

3

Sworn to and subscribed before me this the _____ **day of** _____, _____.
(Declarado y suscrito ante mí el día) **(day)** *(día)* **(month)** *(mes)* **(year)** *(año)*

_____
Signature of Officer Authorized to Administer Oath
(Firma del Funcionario Autorizado para Administrar el Juramento)

_____
Printed Name of Officer Authorized to Administer Oath
(Nombre del Funcionario Autorizado para Administrar el Juramento en letra de molde)

Notarial or official seal
(Sello notarial o oficial)

_____
Title of Officer Authorized to Administer Oath
(Título del Funcionario Autorizado para Administrar el Juramento)

All oaths, affidavits, or affirmations made within this State may be administered and a certificate of the fact given by a judge, clerk, or commissioner of any court of record, a notary public, a justice of the peace (current or retired), city secretary (for a city recount), and the Secretary of State of Texas. See Chapter 602 of the Texas Government Code for the complete list of persons authorized to administer oaths. *(Todos los juramentos, declaraciones juradas o afirmaciones realizadas dentro de este Estado pueden ser administrados y certificados por un juez, secretario o comisionado de cualquier tribunal de registro, un notario público, un juez de paz (en activo o jubilado), un secretario municipal (para un recuento municipal) y el Secretario de Estado de Texas. Consulte el Capítulo 602 del Código de Gobierno de Texas para obtener la lista completa de personas autorizadas para administrar juramentos.)*

Request to Withdraw a Recount Petition - Notes (Form 14-8)

14-8
Prescribed by Secretary of State
Section 212.006, Texas Election Code
2/2026

Name of Form:
Request to Withdraw a Recount Petition

Section Reference:
Section 212.006, Texas Election Code

Purpose:
Form used to formally withdraw from a recount.

Number of Copies Required:
One

Completed by:
Recount Petitioner or Agent of the Recount Petitioner who originally filed the petition for the recount.

Filing Date:
Filed at the time that the petitioner no longer wishes to continue the recount.

Filed With:
Recount Coordinator, as defined by Section 211.002, Texas Election Code.

Comments:
On receipt of the Request to Withdraw a Recount Petition, the Recount Coordinator shall immediately inform, by the most expeditious means possible, all parties who are entitled to receive notice of the recount, under Section 212.032, Texas Election Code, that the request has been submitted and the recount cancelled.

Personal Notice of Recount (Form 14-9)

14-9
Prescribed by Secretary of State
Section 211.005, 212.032, 213.009, Texas Election Code
2/2026

Date of Notice: _____/_____/_____
(Fecha de aviso:)

Time of Notice: _____ **a.m./p.m.**
(Tiempo del aviso:) **Circle one** *(Círcule uno)*

PERSONAL NOTICE OF RECOUNT
(AVISO DE RECUENTO PERSONAL)

Name: *(Nombre:)*	
Address: *(Dirección:)*	
Phone: *(Teléfono:)*	**Email:** *(Correo electrónico:)*

Notice is hereby given that a recount petition has been approved and that a recount will be conducted for the following race or measure in the following election: *(Por lo presente se notifica que se llevará a cabo un recuento de la siguiente elección nombrada:)*

_____
(name of race or measure to be recounted) *(nombre de carrera o proposición que será recontado)*

_____ _____/_____/_____
(name of election) *(nombre de la elección)* **(date of election)** *(fecha de la elección)*

The following type of recount will be conducted: *(Se llevará a cabo el siguiente tipo de recuento:)*

☐ **Manual Recount (hand-counted)**
Recuento manual (contado a mano)

☐ **Electronic Recount (counted by electronic voting system)**
Recuento electrónico (contado por el sistema de votación electrónica)

☐ **Automatic Recount to Break Tie Vote (counted using same counting method from election)**
Recuento automático para desempatar una votación (contado utilizando el mismo método de conteo de la elección)

Recount Information: *(Información del recuento:)*

Date: *(Fecha:)*	**Time:** *(Horas:)*
Location: *(Ubicación:)*	
Number of Counting Teams: *(Número de equipos que contarán:)*	

Methods used to issue this notice: (check all that apply) *(Métodos utilizados para emitir este aviso: (marque todos los que correspondan))*

☐ **Telephone** *(Teléfono)* ☐ **Email** *(Correo electrónico)* ☐ **In-Person Delivery** *(Entrega en persona)*

X _____	_____
Signature of Recount Supervisor *(Firma de Supervisor)*	**Printed Name of Recount Supervisor** *(Nombre del Supervisor en letra de molde)*
X _____	_____
Signature of Recount Coordinator, if different from Supervisor *(Firma del Coordinador del Recuento, si es distinto del Supervisor)*	**Printed Name of Recount Coordinator** *(Nombre en letra de molde del Coordinador del Recuento)*

Personal Notice of Recount - Notes (Form 14-9)

Form 14-9
Prescribed by Secretary of State
Section 211.005, 212.032, 213.009, Texas Election Code
2/2026

Name of Form:
Personal Notice of Recount

Section Reference:
Section 211.005, 212.032, 213.009, Texas Election Code

Purpose:
To provide notice to each person entitled by law to receive notice of recount. This notice is issued when a recount petition has been approved.

Number of Copies Required:
One per person to all persons entitled to receive notice of a recount pursuant to Section 212.032.

Completed by:
The Recount Supervisor and the Recount Coordinator. Please note that in some situations, the Recount Supervisor and Recount Coordinator may be the same person.

Filing Date:
Issued at least 18 hours before the recount begins except in the case of an early recount where all persons entitled to notice agree to begin earlier than 18 hours.

Filed With One of the Following:

- **A Recount That Involves Nomination or Election to an Office:** Each opposing candidate;
- **A Recount That Involves an Election for Presidential Electors:** If the recount involves an election for presidential electors, the presidential candidate who is shown by the election returns to have received the most votes;
- **A Recount That Involves a Measure:** The campaign treasurer of each specific-purpose political committee involved in the election on the side opposite the side that the petitioner represents; or a person eligible to vote in the election, selected by the recount coordinator as an appropriate representative of the interests of the opposite side, if no specific-purpose committee was involved in the election; **OR**
- **A Recount That Involves a Presidential Primary Election:** Each opposing candidate; and a registered voter selected by the Recount Coordinator as an appropriate representative of the interests of the uncommitted delegation, if an uncommitted delegation is entitled to delegate representation.

Comments:
Form 14-9 can function as both the Notice of Recount and the record of notice of recount. By keeping a copy of the notice sent to each person entitled to receive notice of a recount, the records retention requirement is met. [Sec. 211.005(b)]