

2010 Primary Election Calendar

Note on Campaign Information

Under Title 15 of the Election Code, candidates must file campaign contribution and expenditure reports. For further information and all questions about such disclosure filings, campaign finance, and political advertising, please contact the Texas Ethics Commission at 201 E. 14th, 10th Floor, Austin, Texas 78701 (or call toll-free at 1-800-325-8506 or visit their website at www.ethics.state.tx.us). Candidates filing for federal offices should contact the [Federal Elections Commission](#) toll-free at 1-800-424-9530.

Testing of Electronic Equipment

Note on Ballot Testing: Once all candidate filing deadlines have passed, we recommend that you proof and test your ballot programming as soon as possible. If you will be using automatic tabulating equipment to count your mail ballots, we recommend proofing your ballots and testing your automatic tabulating equipment as soon as possible, as well. In both instances, early testing will allow adequate time to locate any errors and make any necessary corrections in ballot programming.

Note on Logic and Accuracy Test: We recommend establishing a date to perform the first test of your electronic voting equipment [L&A, or Logic and Accuracy Test] as soon as possible. We recommend that this test be performed on a date that allows time to correct programming and retest, if necessary. A notice of this test must be published by the custodian of the electronic voting equipment at least 48 hours before the date of the test.

Note on Statutory References

Unless otherwise indicated, all references are to the Texas Election Code.

Thursday, September 3, 2009 (180th day before primary election day)

First day to accept applications for state write-in ballots for March 2, 2010 primary election. (Sec. 105.002).

Sunday, October 4, 2009 (90th day before statutory filing deadline)

First day to file an application for the office of precinct chair. (Sec. 172.023(b)).

County chair must review each application within five days after the date the application is received. If the application is rejected, the chair must immediately deliver written notice of the reason for the rejection to the candidate. (Sec. 141.032).

November 2009

The Secretary of State must deliver to each state and county chair rules regarding primary election financing. (Sec. 173.010).

***Thursday, December 3, 2009 (30th day before the statutory filing deadline)**

First day to file an application for a place on the primary ballot for an office other than precinct chair. (Sec. 172.023(b)).

First day to file declaration of write-in candidacy for county or precinct chair. (Secs. 146.025, 171.0231).

Note: *The first day to file is based on the statutory filing deadline rather than the extended deadline pursuant to Section. 1.006.

Monday, December 14, 2009 (2nd Monday in December)

Deadline for each party chair to deliver lists of names of election judges and clerks, early-voting-ballot-board members, and central counting station personnel (if applicable) to the county clerk/elections administrator if joint primary election is going to be conducted.

Thursday, December 17, 2009 (75th day before primary election day)

Last recommended day for a county chair to submit changes affecting voting to U.S. Department of Justice for preclearance. The federal Voting Rights Act of 1965 requires that any change in any "standard, practice, or procedure with respect to voting" be submitted to the U.S. Department of Justice for preclearance. Changes in election precincts, polling places, and various other actions require preclearance. Under Section 5, any change in a voting practice or procedure is legally unenforceable until the U.S. Attorney General (or a federal court in the District of Columbia) determines that the change does not have the purpose, or will not have the effect, of discriminating against racial or language minority group members.

The Attorney General of the U.S. Department of Justice has 60 days in which to interpose an objection to a submitted change affecting voting. Therefore, if the county executive committee has not already reviewed actions since the last primary elections to see if any changes must be submitted for preclearance, this should be done as soon as possible. If changes need to be made at the last minute, the Justice Department may be able to give the submission expedited consideration.

Procedure: Send your submissions to the following address:

For All U.S. Postal Service Mail:

CHIEF, VOTING SECTION
CIVIL RIGHTS DIVISION
ROOM 7254-NWB
DEPARTMENT OF JUSTICE
950 PENNSYLVANIA AVE., N.W.
WASHINGTON, D.C. 20530

For All Overnight Express Services:

CHIEF, VOTING SECTION
CIVIL RIGHTS DIVISION
ROOM 7254-NWB
DEPARTMENT OF JUSTICE
1800 G STREET, N.W.
WASHINGTON, D.C. 20006

IMPORTANT: The envelope of any submission must be clearly marked as follows: SUBMISSION UNDER SECTION 5, VOTING RIGHTS ACT, and your return address must be clearly indicated. The Department of Justice's toll-free telephone number is (800) 253-3931 or you may reach them at (202) 307-2767.

NOTE: The U.S. Department of Justice also accepts preclearance submissions online, via their website. This option and more information are available at: www.usdoj.gov/crt/voting.

Wednesday December 30, 2009 (62nd day before primary)

Last day for a candidate to withdraw from the primary ballot. (Sec. 172.052).

If a candidate dies or is declared ineligible by this date, the name is omitted from the ballot. (Sec. 172.058).

Last day a vacancy for an unexpired term may occur and appear on the primary ballot. (Sec. 202.004).

Friday, January 1, 2010 (60th day before primary election day)

First day of period for voter to submit an application for an early ballot by mail for the general primary, or for both the general primary and the runoff primary. The application is considered submitted at the time of receipt. (Secs. 84.001(d), 84.007).

Deadline for printers/vendors to register to print primary ballots. (Sec. 51.013).

Sunday, January 3, 2010 (last day before regular filing deadline)

Deadline for the county chair (or secretary of the county executive committee) to post a notice on the bulletin board used for posting notices of the commissioners court's meetings, containing the address at which the county chair and secretary of the county executive committee will be available to receive applications on the last day for filing an application. This deadline is not extended under Section 1.006. (Sec. 172.022(b)).

NOTE: If the party secretary is accepting applications at a second location in addition to the party chair, the notice must include both locations.

***Monday, January 4, 2010 (Filing deadline, 57th day before primary election day)**

6:00 p.m. - Applications for a place on the general primary election ballot must be received by the state or county chair, as applicable to the office. (Sec. 172.023(a)). Postmark by this deadline without actual receipt by the state or county chair is not sufficient. (Sec. 172.021(c)).

6:00 p.m. - Deadline for a write-in candidate for the office of county or precinct chair to file a declaration of write-in**

*The dates to extend filing deadlines for candidates who have filed applications and have withdrawn, have been declared ineligible, or have died, are not applicable for this election. The extended deadline pursuant to Section 172.054 falls before the regular filing deadline of January 4, 2010. This is also true for candidates filing for party chairs.

If vacancies occur in an office that is not regularly scheduled for election on or before December 30, 2009, the deadline to file for office is also January 4, 2010 since the extended deadline pursuant to Section 202.004 is earlier than the regular filing deadline of January, 4, 2010.

**Since the regular filing deadline falls after the extended deadline, the time to file as a write-in candidate for precinct or county chair takes on the 6:00 pm filing deadline.

Recommended last day to order election supplies.

Statutory deadline for state chair to deliver to each county chair a certified list of statewide and multi-county district candidates who have timely filed valid applications for place on the primary ballot. (Sec. 172.028(b)). NOTE: Since statutorily this deadline is not feasible, SOS recommends delivering the list no later than Wednesday, January 6, 2010 (see entry of this date below).

Deadline for state executive committee to set date, hour, and place for convening state convention. (Sec. 174.092(b)).

Wednesday, January 6, 2010 (55th day before primary election day)

Recommended date for state chair to deliver to each county chair a certified list of statewide and multi-county district candidates who have timely filed valid applications for place on the primary ballot.

Thursday, January 7, 2010 (at least 24 hours before ballot drawing; 54th day before primary election day)

Deadline for chair to post notice on commissioners court bulletin board of the date, hour, and place of ballot drawing if the ballot drawing is conducted on January 8, 2010. (Sec. 172.082).

Friday, January 8, 2010 (53rd day before primary election day)

Deadline for county executive committee to conduct drawing for candidate order on ballot at the county seat by the county executive committee (unless committee provides by resolution that primary committee is to conduct drawing). (Sec. 172.082(c)).

Recommended last day for the county chair of each political party to appoint presiding and alternate judges, with the approval of their respective county executive committees, for each precinct in which the primary election will be held in the county (Secs. 32.006 and 32.008). General eligibility requirements are found in Subchapter C, Chapter 32. The presiding judge appoints the clerks, but not more than the maximum set by the political party; however, the alternate judge must serve as one of the clerks. (Secs. 32.032, 32.033). The Writ of Election must be delivered to each presiding judge not later than the 15th day before the election (February 16, 2010). (Sec. 4.007).

Last day for county executive committee to set hour and place to convene precinct conventions. (Secs. 174.022(b), 181.063).

Thursday, January 14, 2010 (10 days after filing deadline)

Recommended date for county chair to submit the ballot format to primary committee for its approval. (Sec. 172.083).

Recommended date for primary committee to approve ballot format.

Recommended date for county chair to order ballots.

Deadline for state chair to allocate the filing fees for district offices to the county chairs. (Sec. 173.062(c)).*

Deadline for county chair to deliver copies of the list of candidates to the county clerk, the state chair, and the Secretary of State. (Sec. 172.029(c)).*

Deadline for state chair to deliver his or her list of candidates to the Secretary of State. (Sec. 172.029(c)).*

*This deadline is based on the date of the extended filing deadline, Monday, January 4, 2010. (Sec. 1.006).

Saturday, January 16, 2010 (45th day before primary election day)

Early voting ballots and accompanying materials shall be mailed to applicants not later than the 7th calendar day after the later of (a) the date the mail ballot application is accepted or (b) the date the ballots become available for mailing. If the 7th day is earlier than the 45th day before election day, the ballots must be mailed not later than the 38th day before election day. (Sec. 86.004).

Note on Ballot Testing: Once all candidate filing deadlines have passed, we recommend that you proof and test your ballot programming as soon as possible. If you will be using automatic tabulating equipment to count your mail ballots, we recommend proofing your ballots and testing your automatic tabulating equipment as soon as possible, as well. In both instances, early testing will allow adequate time to locate any errors and make any necessary corrections in ballot programming.

Note on Logic and Accuracy Test: We recommend establishing a date to perform the first test of your electronic voting equipment [L&A, or Logic and Accuracy Test] as soon as possible. We recommend that this test be performed on a date that allows time to correct programming and retest, if necessary. A notice of this test must be published by the custodian of the electronic voting equipment at least 48 hours before the date of the test.

County chair of party holding a primary procures from voter registrar a set of precinct lists of registered voters (also supplemental lists and correction lists, if necessary) to deliver to county clerk for use in conducting early voting in the party's general primary. (Secs. 18.001(d), 18.002-18.004).

Tuesday, January 19, 2010 (42nd day before primary election day)

Deadline to submit itemized estimate and request for state funds to cover general primary expenses. (Sec. 173.081(c)(2)). Notice of consolidation of county election precincts must accompany the itemized estimate. (Sec. 173.081(f)).*

*Since the statutory deadline falls on Saturday, January 16, 2010 and Monday, January 18, 2010 is a holiday (Martin Luther King, Jr. Day), the deadline is moved to the 42nd day before primary election day, the next business day. (Sec. 1.006).

Monday, February 1, 2010 (29th day before primary election day)

Last day a person may submit an application to register to vote in March 2, 2010 primary election. (Sec. 13.143).*

NOTE: Effective September 1, 2009, an FPCA submitted by this date will serve as a permanent voter registration application. (House Bill 536, 81st Legislature).

Last day a voter who has moved to a different election precinct within the county may submit a change of address to be eligible to vote (in the general primary) in the precinct of his or her new residence. (Sec. 15.025).*

Last day chairs may file party rules with the Secretary of State.* (Secs. 1.006, 163.005, 163.006).

*Since the statutory deadline of the 30th day before primary election day falls on a Sunday, the deadline is extended to Monday, February 1, 2010, the 29th day before primary election day, the next business day. (Secs. 1.006, 13.143(e), 15.025(d)).

Tuesday, February 9, 2010 (21st day before primary election day)

Last day for county chair to post notice of the general primary election on the commissioners court bulletin board. (Sec. 172.1112).

Wednesday, February 10, 2010 (20th day before primary election day)

Last day for a person who is not already a permanent registered voter to submit a federal postcard application (FPCA) to receive a full ballot. Postmark with this date on the FPCA is proof that the applicant submitted the FPCA by this deadline. (See entry below for FPCA without postmark at the 14th day before primary election day, February 16, 2010.)

Thursday, February 11, 2010 – Tuesday, February 23, 2010 (19th -7th day before primary election day)

A person submitting a federal postcard application during this period, is entitled to receive a federal ballot only (no state, district, or county offices), if not already a permanent registered voter.

Friday, February 12, 2010 (60th day before April 13, 2010 runoff primary election)

First day to submit an application for a ballot by mail for the April 13, 2010 runoff primary election. (Sec. 84.007).

Deadline for printers to register to print primary runoff ballots. (Sec. 51.013).

Tuesday, February 16, 2010 (14th day before primary election day)

Early voting by personal appearance begins on this day. (Secs. 85.001, 1.006).*

If an FPCA is received by this date without a postmark to prove mailing date, the early voting clerk will accept the FPCA and mail the applicant a full ballot if the applicant is not already a permanent registered voter, but meets the requirements under Title 2 of the Election Code. Sec. 101.004(i).**

Deadline to notify election judges of duty to hold election (Writ of Election). (Sec. 4.007). Written notice must be given to the presiding judge of the duty to hold the election, purpose of election, the election date, location of the polling place, hours the polls are open, and the number of clerks to be appointed.**

*Since the 17th day before primary election day falls on Saturday, February 13, 2010, and Monday, February 15, 2010 is a national and state holiday (Presidents' Day), early voting will begin on Tuesday, February 16th, the next business day.

**Deadline is extended since February 15, 2010 is a national and state holiday.

Saturday, February 20, 2010 (10th day before primary election day)

In counties with a population of 100,000 or more, early voting must be conducted for 12 hours on the last Saturday of the early voting period at the main early voting polling place. In counties with a population fewer than 100,000, early voting must be conducted for this same number of hours upon receipt of a petition submitted by at least 15 registered voters of the county. (Sec. 85.006(e)).

Sunday, February 21, 2010 (9th day before primary election day)

In a county with a population of 100,000 or more, early voting must be conducted at the main early voting polling place for five hours on the last Sunday of the early voting period. In counties with populations fewer than 100,000, early voting must be conducted for this same number of hours upon receipt of a petition submitted by at least 15 registered voters of the county. (Sec. 85.006(e)).

Monday, February 22, 2010 - Friday, February 26, 2010 (8th day – 4th day before primary election day)

Counties with populations of 100,000 or more must keep main early voting polling place open for 12 hours each day during the last week of early voting; however, required branch hours are set by commissioners court. Counties with populations of less than 100,000 keep the main early voting place open during regular county business hours unless 15 or more voters petition the county for the extended 12-hour schedule. (Secs. 85.005(c), 85.064).

Monday, February 22, 2010 (8th day before primary election day)

First day Early Voting Ballot Board in counties with a population of 100,000 or more may convene. (Sec. 87.0222).

A voter who becomes sick or disabled on or after this date may vote a late ballot if the sickness or disability prevents the voter from appearing at the polling place without the likelihood of needing personal assistance or of injuring his or her health. (Sec. 102.001).

Last day to deliver written notice of hour and place of precinct conventions to county clerk. (Sec. 174.023(b)).*

If county election precincts are consolidated, county chair must post at the polling place used in the preceding general election for state and county officers a notice of consolidation and location of the polling place. For purposes of conducting a primary election, the "preceding general election" is the preceding primary election. (Sec. 172.1112).*

*Since statutory deadline falls on a Saturday, the deadline is extended to the next business day. (Sec. 1.006).

Tuesday, February 23, 2010 (7th day before primary election day)

Last day to receive applications for ballots by mail for the March primary. Early voter's application (including FPCA) must be received by early voting clerk before close of regular business or 12 noon, whichever is later, on this date. If the FPCA applicant is not already permanently registered to vote, applicant will be sent a ballot for the federal offices only. (Secs. 84.007, 101.002, and 101.004(f)(1)).

Wednesday, February 24, 2010 (4th business day before primary election day)

Deadline for requests for election inspectors for general primary election. (Sec. 34.001).

Friday, February 26, 2010 (4th day before primary election day)

Last day to vote early in person. (Sec. 85.001(a)).

Recommended date to conduct first test of automatic tabulating equipment. Test must be conducted at least 48 hours before ballots will be counted. The notice of the test must be published at least 48 hours before test. (Secs. 127.093, 127.096).

Saturday, February 27, 2010 (3rd day before primary election day)

First day to submit an application for and vote a late ballot because of a death in the immediate family that occurred on or after Thursday, February 25, 2010, and will require absence from the county on election day. (Secs. 103.001, 103.003(b)).

First day to submit an application for and vote a late ballot because of sickness or disability that arose on or after Monday, February 22, 2010. (Secs. 102.001, 102.003).

Monday, March 1, 2010 (day before primary election day and precinct conventions)

Last day for county clerk or election administrator (early voting clerk) to deliver precinct lists of early voters for general primary to the presiding election judges. (Sec. 87.122).

Deadline for county chair to post notices of changed polling places. (Sec. 43.062).

Tuesday, March 2, 2010, PRIMARY ELECTION DAY (Sec. 41.007(a)(c)).

Prior to opening the polls, presiding judge of each precinct must post at each entrance to the building a notice of the time and place for convening the precinct convention. This notice must remain posted continuously through election day. (Sec. 172.1111).

7:00 a.m. to 7:00 p.m. - Polls are open. (Sec. 41.031(a)). Early voting clerk's and voter registrar's offices are open. (Secs. 12.004(c), 83.011).

7:00 a.m. to 7:00 p.m. - Sick and disabled persons may vote at the main early voting polling place if electronic voting systems are used and the voter has a sickness or condition that prevents the voter from voting in the regular manner without personal assistance or likelihood of injury. (Sec. 104.003). However, if the early voting ballots by mail are processed at a location other than the main early voting polling place, the early voting clerk may require the voting to be conducted at that location. (Sec. 104.003).

5:00 p.m. - Deadline for receiving applications for late early ballots to be voted by persons who became sick or disabled on or after Monday, February 22, 2010 (8th day before election day). (Sec. 102.003(b)).

7:00 p.m. - Deadline for receiving early ballots by mail and late early ballots cast by voters who became sick or disabled on or after Monday, February 22, 2010 (8th day before election day). (Secs. 86.007(a), 102.006(c)). (See late ballot exception to the by-mail rule under entry for March 8, 2010.)

Clerk for early voting must check mailbox for early mail ballots at least once after time for regular mail delivery. (Sec. 86.007(b)). Clerk delivers voted ballots, key to double-locked ballot box, etc., to early voting ballot board at time or times specified by the presiding judge of the early voting ballot board, during the hours the polls are open or as soon after the polls close as practicable. (Sec. 87.022).

NOTE: In an election at which paper ballots or electronically counted ballots are used, early ballots may be delivered to the early voting ballot board at any time after early voting by personal appearance ends. Ballots may be qualified and prepared for counting before election day, but they may not be counted until election day (unless the population of the county is of 100,000 or more). (Secs. 87.0221, 87.023, and 87.024). If ballots are to be delivered before election day, the early voting clerk must post notice at least 24 hours before each delivery at the main early voting polling place. (Secs. 87.0221, 87.023(b), and 87.024(b)).

The custodian of the key to the second lock on the double-locked early voting ballot box (county judge) delivers his or her key to the presiding judge of the early voting ballot board on request of the presiding judge. (Secs. 85.032, 87.025).

7:00 p.m. - County clerk or elections administrator begins transmitting results to the Secretary of State and transmits continuously until results are final. (Sec. 68.034).

The voter registrar may take possession of the ballot box(es) or transfer case(s) containing the provisional ballots (or provisional ballot affidavits when DRE systems are used) on election night (instead of on the next business day) by providing the custodian of records with a notice no later than 24 hours before election day. (T.A.C. §§ 81.172 – 81.174, 81.176).

Precinct conventions held by political parties holding primaries must convene not earlier than 7:00 p.m., nor later than 9:00 p.m. and must not convene until after last voter has voted at the precinct polling place. (Sec. 174.022).

Wednesday, March 3, 2010 (1st day after primary election day)

The voter registrar shall take possession of the ballot box(es) or transfer case(s) containing the provisional ballots (or provisional ballot affidavits when DRE systems are used), along with the Summary of Provisional Ballots and the List of Provisional Voters for each precinct, during the regular business hours of the county clerk or elections administrator, unless the voter registrar has already taken possession of the ballots prior to this date. (T.A.C. §§ 81.172 - 81.174, 81.176).

Friday, March 5, 2010 (3rd business day after primary election day)

Deadline for voter registrar to deliver provisional ballots to ballot board judge (or general custodian of election records) for qualification and counting.

Last day to begin manual recount of ballots in three precincts or one percent of precincts, whichever is greater, unless requirement has been waived. The count shall be completed not later than the 21st day after election day. (Sec. 127.201(a)). Results of manual count must be mailed to Secretary of State not later than the 3rd day after the manual count is completed. (Sec. 127.201(e)).

Monday, March 8, 2010 (6th day after primary election day)

Last day to receive carrier envelope placed in mail for delivery by 7:00 p.m. on election day from outside of the United States. (Sec. 86.007(d)(3)). (Deadline of Sunday, March 7, 2010 extended to next business day.) (Section 1.006).

On this day, or under certain circumstances earlier, early voting ballot board convenes to count mail ballots cast from outside United States described by Sec. 86.007(d) at time set by presiding judge. (Sec. 87.125).

Tuesday, March 9, 2010 (7th day after primary election day)

The early voting ballot board must reconvene any time after the last mail delivery by the 6th day after election day but no later than this day, 7th day after election day, to count late ballots received.

Deadline for early voting ballot board to verify and count provisional ballots. (Sec. 65.051(a)).

Precinct conventions held for parties nominating by convention. (Secs. 181.061(c), 182.005).

Wednesday, March 10, 2010 (10 days before the county and senatorial district conventions)

Notice of convention must be posted continuously on commissioners court bulletin board of date, time and place of the convention. The notice is also delivered to the county clerk/ election administrator. (Sec. 174.023).

Thursday, March 11, 2010 (2nd Thursday after the primary election day)

Local canvass of the general primary election by county executive committee must be conducted on this date. (Sec. 172.116(b)). (Note: Friday option was removed pursuant to Senate Bill 1970, 81st Legislature).

Ballot drawing is conducted immediately following the canvass for candidates involved in runoff election for county and precinct offices.

Friday, March 12, 2010 (10th day after primary election day; day following local canvass of the general primary election)

5:00 p.m. - Last day runoff primary candidates may withdraw from ballot. (Sec. 172.059).

Deadline to notify mail voters of rejected ballots. (Sec. 87.0431).

Deadline for county chair to submit an itemized estimate and request for state funds to cover runoff primary expenses. (Sec. 173.081(e)). Notice of consolidated precincts for the primary runoff election must be attached to the itemized statements. (Sec. 173.081(f)).

Deadline for county chair to submit canvassed returns for statewide and district offices to state party chair. (Secs. 67.007(d), 172.119(b)).

Recommended day for county executive committee to post notice of drawing for place on primary run-off ballot for statewide and district candidates after the canvass takes place.

Saturday, March 13, 2010 (2nd Saturday after the primary election day)

County convention for minor parties that are nominating candidates for single county district, county, or precinct offices. (Sec. 181.061(c)).

Sunday, March 14, 2010 (2nd Sunday after the primary election day)

Deadline to conduct state canvass for all races with potential runoffs (races with three or more candidates). State chair must certify these candidates for statewide and district offices for placement on runoff primary election ballot to county chair as soon as canvass is completed. (Secs. 172.120, 172.121). (Senate Bill 1970, 81st Legislature).

Monday, March 15, 2010 (29th day before runoff)

Deadline to conduct local (county) ballot drawing for statewide and district offices. Runoff election ballots must be ordered immediately after drawing.

NOTE: Start mailing early voting ballots for the runoff primary as soon as they are available. Persons who applied on a FPCA between the 20th - 7th day before the primary election, and were not already permanently registered to vote, are now entitled to receive a full ballot for the runoff primary election since their voter registration application (FPCA) was received at least 30 days before the runoff primary election and their permanent registration via the FPCA is effective for the runoff election. (Sec. 101.004). (House Bill 536, 81st Legislature).

Last day on which a person may submit an application to register to vote in April 13, 2010 runoff primary election. (Sec. 13.143).*

NOTE: Effective September 1, 2009, an FPCA submitted by this date will serve as a permanent voter registration application. (House Bill 536, 81st Legislature).

Last day a voter who has moved to a different election precinct within the county may submit a change of address to be eligible to vote (in the runoff primary) in the precinct of his or her new residence. (Sec. 15.025).*

*Since the 30th day before the runoff primary election day falls on a Sunday, the registration is effective for purposes of the runoff primary election if submitted on the next regular business day, Monday, March 15, 2010, either by mail or in person.

Saturday, March 20, 2010 (3rd Saturday after primary)

County and Senatorial district conventions for parties nominating by primary. (Sec. 181.061(c)).

Minor parties will make nominations at the district convention for multi-county district offices. (Sec. 181.061(b)).

Monday, March 22, 2010 (10th day after the local canvass)

Deadline to notify provisional voters on whether their ballots were counted and if not, the reason why it was not counted. (T.A.C. §§ 81.172 - 81.174, 81.176).

Tuesday, March 23, 2010 (21st day after primary election day; 21st day before runoff primary election day)

Deadline for county chair to post notice of the runoff primary election on the commissioners court bulletin board. (Secs. 4.003, 172.1112).

Manual count must be complete by this date. (Sec. 127.201(a)).

Wednesday, March 24, 2010 (20th day before runoff primary election day);

Last day for a person who is not already a permanent registered voter to submit an FPCA to be entitled to vote a full ballot in the runoff primary election.

State executive committee must canvass the general primary election results for all remaining races. (Sec. 172.121(b)). (Senate Bill 1970, 81st Legislature).

Thursday, March 25, 2010 - Tuesday, April 6, 2010 (19th - 7th day before runoff primary election day; 3rd Thursday after primary)

Persons submitting FPCA's, who are not already permanently registered to vote and did not make an application on an FPCA prior to this date, are entitled to vote a federal ballot only for the runoff primary election.

Monday, March 29, 2010 (15th day before runoff primary election day)

If an FPCA is received by this date without a postmark to prove mailing date, the early voting clerk will accept the FPCA and mail the applicant a full ballot if the applicant is not already a permanent registered voter, but meets the requirements under Title 2 of the Election Code.

Wednesday March 31, 2010 (20th day after local canvass of primary election);

Deadline for county chair to deliver certification of nominees for county and precinct offices for places on general election ballot to authority preparing the ballot (county clerk or elections administrator). (Sec. 172.117(b)).

Thursday, April 1, 2010 (12th day before runoff primary election day; 30th day after primary election day)

If defective application to vote early by mail in the primary election is received on or before this date, early voting clerk mails a new application back to voter with explanation of defects and instructions for submitting new application by the deadline. For defective applications received after this date and before end of early voting by personal appearance, early voting clerk mails only notice of defect and statement that voter is not entitled to vote early by mail unless he or she submits a sufficient application by the deadline. (Sec. 86.008).

Deadline for county chair to deliver precinct results of primary election, including precinct-by-precinct returns for early voting of U.S. senator, U.S. representative, statewide races, state senate, and state representative to the Secretary of State. (Sec. 172.124(b)).

Monday, April 5 – Friday, April 9, 2010 (8th to 4th day before runoff primary election day)

Counties with populations of 100,000 or more must keep main early voting polling place open for 12 hours each day during the last week of early voting; however, required branch hours are set by commissioners court. Counties with populations of less than 100,000 keep the main early voting place open during regular county business hours unless 15 or more voters petition the county for the extended 12-hour schedule. (Secs. 85.005(c), 85.064).

Monday, April 5, 2010 (8th day before runoff primary election day)

First day early voting ballot board in the county with a population of 100,000 or more may convene. (Sec. 87.0222).

Early voting by personal appearance begins. Because the 10th day before the runoff election is a Saturday, early voting begins on the next business day, Monday, April 5, 2010. (Sec. 85.001(b)).

Voter who becomes sick or disabled on or after this date may obtain an early voting ballot for the runoff primary election by sending a representative to the main early voting polling place between April 5th (day after last day of early voting in person) and 5:00 p.m. on election day. Same representative must deliver marked ballot to county clerk before 7:00 p.m. on election day. (Secs. 102.001, 102.002, and 102.006).

Last day for county chair to post notice of consolidated precincts for runoff primary, if any, at the polling places used in the "preceding general election." For the primary election, the "preceding general election" is the preceding primary election. (Sec. 172.1112).*

*Since statutory deadline falls on a Saturday, the deadline is extended to the next business day. (Sec. 1.006).

Tuesday, April 6, 2010 (7th day before runoff primary election day)

Last day to receive applications for ballots by mail for the April 13 runoff primary election. Early voter's application (including FPCA) must be received by early voting clerk before close of regular business or 12 noon, whichever is later, on this date. If the FPCA applicant is not registered to vote, applicant will be sent a ballot for federal offices only. (Secs. 84.007, 101.002, and 101.004(f)(1)).

Wednesday April 7, 2010 (4th business day before runoff primary election day)

Last day for Secretary of State to receive requests for state election inspectors for runoff primary. (Sec. 34.001).

Thursday, April 8, 2010 (5th day before runoff primary election day; day before last day of early voting in person)

A voter who will be absent from his county of residence due to a death of an immediate family member occurring on or after this day may apply for a late ballot. Application may be made after the last day of early voting in person, up to the close of business on the day before runoff primary election day. (Secs. 103.001, 103.003).

Friday, April 9, 2010 (4th day before runoff primary election day)

First day for voter registrar or elections administrator to return the list of registered voters used in first primary to the county chair if it is to be used for the runoff primary election. (Sec. 172.115(b)).

Last day to vote early by personal appearance in the runoff primary election. (Sec. 85.001).

Recommended date to conduct first test of automatic tabulating equipment. Test must be conducted at least 48 hours before ballots will be counted. The notice of the test must be published at least 48 hours before test. (Secs. 127.093, 127.096).

Saturday, April 10, 2010 (day after last day of early voting in person)

First day to submit application to vote late early ballot because of death in immediate family that occurred on or after April 8, 2010. May submit application through April 12, 2010, the day before runoff primary election day. (Sec. 103.003).

First day to submit application to vote late early ballot because of sickness or disability occurring on or after April 5, 2010. May submit application through 5:00 p.m. on runoff primary election day. Ballot must be returned by 7 p.m. on election day. (Sec. 102.003).

Counties with a population of 100,000 or more and using electronic voting equipment may begin counting ballots voted in person or by mail during the early voting period. (Sec. 87.0241(b); T.A.C. § 81.86).

Ballot board in all counties may meet to process ballots but may not begin actually counting ballots unless the county has a population of 100,000 or more. (Sec. 87.0241).

Voter Registrar may take custody of provisional ballots to begin early processing; if ballot board or central counting station have separated the provisional ballots from the regularly cast ballots. (T.A.C. §§ 81.172- 81.174, 81.176).

Monday, April 12, 2010 (day before runoff primary election day)

Last day to submit application to vote a late early ballot due to death in immediate family that occurred on or after April 8, 2010. (Sec. 103.003).

Deadline for county chair to post notices of changed polling places. (Sec. 43.062).

Tuesday, April 13, 2010 (2nd Tuesday in April) RUNOFF PRIMARY ELECTION DAY (Sec. 41.007(b)).

7:00 a.m. to 7:00 p.m. - Polls are open. (Sec. 41.031(a)). Early voting clerk's and voter registrar's offices are open. (Secs. 12.004(c), 83.011).

7:00 a.m. to 7:00 p.m. - Sick and disabled persons may vote at the main early voting polling place if electronic voting systems are used and the voter has a sickness or condition that prevents the voter from voting in the regular manner without personal assistance or likelihood of injury. (Sec. 104.003). However, if the early voting ballots by mail are processed at a location other than the main early voting polling place, the early voting clerk may require the voting to be conducted at that location. (Sec. 104.003).

5:00 p.m. - Deadline for receiving applications for late early ballots to be voted by persons who became sick or disabled on or after April 5, 2010 (8th day before runoff election day). (Sec. 102.003(b)).

7:00 p.m. - Deadline for receiving early ballots by mail and late early ballots cast by voters who became sick or disabled on or after April 5, 2010 (8th day before runoff election day). (Secs. 86.007(a), 102.006(c)). (See late ballot exception to the by mail rule under entry for April 19, 2010).

Clerk for early voting must check mailbox for early mail ballots at least once after time for regular mail delivery. (Sec. 86.007(b)). Clerk delivers voted ballots, key to double-locked ballot box, etc., to early voting ballot board at time or times specified by the presiding judge of the early voting

ballot board, during the hours the polls are open or as soon after the polls close as practicable. (Sec. 87.022).

NOTE: In an election at which paper ballots, electronically counted ballots, or mechanical voting devices are used, early ballots may be delivered to the early voting ballot board at any time after early voting by personal appearance ends. Ballots may be qualified and prepared for counting before election day, but they may not be counted until election day (unless the population of the county is 100,000 or more and uses an electronic voting system). (Secs. 87.0221, 87.023, and 87.024). If ballots are to be delivered before election day, the early voting clerk must post notice at least 24 hours before each delivery at the main early voting polling place. (Secs. 87.0221, 87.023(b), and 87.024(b)).

The custodian of the key to the second lock on the double-locked early voting ballot box (county judge) delivers his or her key to the presiding judge of the early voting ballot board. (Secs. 87.025, 85.032).

The voter registrar make take possession of the ballot box(es) or transfer case(s) containing the provisional ballots (or provisional ballot affidavits when DRE systems are used) on election night (instead of on the next business day) by providing the custodian of records with a notice no later than 24 hours before election day. (T.A.C. §§ 81.172 – 81.174, 81.176).

7:00 p.m. - County clerk or elections administrator begins transmitting results to the Secretary of State and transmits continuously until results are final. (Sec. 68.034).

Wednesday, April 14, 2010 (1st day after primary runoff election day)

The voter registrar may take possession of the ballot box(es) or transfer case(s) containing the provisional ballots (or provisional ballot affidavits when DRE systems are used) along with the Summary of Provisional Ballots and the List of Provisional Voters for each precinct during the regular business hours of the county clerk or elections administrator on this day, the next regular business day after election day, unless the voter registrar has already taken possession of the ballots prior to this date. (T.A.C. §§ 81.172 - 81.174, 81.176).

Friday, April 16, 2010 (3rd day after runoff primary election day)

Deadline for voter registrar to deliver provisional ballots to ballot board judge (or general custodian of election records) for qualification and counting. (T.A.C. §§ 81.172 - 81.174, 81.176).

County clerk or elections administrator begins partial count of electronic voting system ballots for runoff primary not later than 72 hours after polls close unless waived. Count must be completed not later than May 4, 2010. (Sec. 127.201).

Monday, April 19, 2010 (6th day after runoff primary election day) (Deadline Extended)

Last day to receive carrier envelope placed in mail for delivery by 7:00 p.m. on election day from outside of the United States. (Sec. 86.007(d)(3)).

On this day, or under certain circumstances earlier, early voting ballot board convenes to count mail ballots cast from outside United States described by Sec. 86.007(d) at time set by presiding judge. (Sec. 87.125).

Tuesday, April 20, 2010 (7th day after runoff primary election day)

Early voting ballot board shall reconvene after the last mail delivery by the 6th day after election day but no later than this day, 7th day after election day, to count late ballots received. (Sec. 87.125).

Deadline for early voting ballot board to verify and count provisional ballots. (Sec. 65.051(a)).

Thursday, April 22, 2010 (2nd Thursday after runoff)

Local canvass of runoff primary election by county executive committee (Sec. 172.116(b)).

Friday, April 23, 2010 (10th day after runoff primary election day)

Not later than this date, presiding judge of early voting ballot board delivers to voter notice of reason for rejection of early voting mail ballot. (Sec. 87.0431).

Friday, April 23, 2010 (not later than 24 hours after completion of the local canvass)

Deadline for county chair to submit canvassed returns for statewide and district offices to state party chair. (Secs. 67.007(d), 172.119).

Not later than this date, presiding judge of early voting ballot board delivers to voter notice of whether their ballot was counted and if not, the reason why it was not counted. (T.A.C. §§ 81.172-81.174, 81.176).

Saturday, May 1, 2010 (3rd Saturday after runoff primary election day)

Last day for state executive committee to canvass the runoff primary election. Not later than the 20th day after the state canvass is completed, the state chair shall deliver the canvass report to the Secretary of State. (Sec. 172.120(b)). (Senate Bill 1970, 81st Legislature).

Sunday, May 2, 2010 (61st day after primary election day)

First day the general custodian of election records may (1) require a person who has possession of a key that operates the lock on a ballot box containing voted ballots to return the key to the custodian; and (2) unlock the ballot box and transfer the voted ballots to another secure container for the remainder of the preservation period.

Please note that a political subdivision is not required by law to do this on Sunday, May 2, 2010; they may choose to transfer the voted ballots to another secure container for the remainder of the preservation period on Monday, May 3, 2010 or a later date.

Monday, May 3, 2010 (20th day after runoff primary election day)

New party officers take office. (Sec. 171.022(c)).

Tuesday, May 4, 2010 (21st day after runoff primary election day)

Manual count of runoff primary election must be complete by this date. (Sec. 127.201(a)).

Wednesday, May 12, 2010 (20th day after local canvass for runoff primary election day)

Deadline for county chair to deliver county executive committee's tabulation of precinct election returns to general custodian of election records (county clerk or elections administrator). (Sec. 172.116(e)).

Deadline for county chair to deliver to the county clerk or elections administrator the certification of nominees elected in the runoff primary election for county and precinct offices for placement on the general election ballot. (Sec. 172.117(b)).

Deadline to deliver notice of persons elected as party officers (county and precinct chairs, as applicable) following the runoff primary election to state chair and county clerk/elections administrator. (Sec. 172.118(a)).

Thursday, May 13, 2010 (30th day after runoff primary election day)

Deadline for county chair to deliver to the Secretary of State precinct returns of runoff primary election for statewide offices and the offices of U.S. senator, U.S. representative, state senator, and state representative, including precinct-by-precinct returns for early voting. (Sec. 172.124(b)).

Deadline for county chair to file report of the actual expenses of the general primary election and runoff election (Final Cost Report) with the Secretary of State. (Sec. 173.084). Any surplus remaining in a county primary fund account after payment of approved expenses must be remitted to the Secretary of State after final payment from the fund but not later than July 1st. (Sec. 173.0851). The county chair is not entitled to final payment unless precinct-by-precinct returns have been received by the Secretary of State.

Friday, May 21, 2010 (20th day after state canvass of runoff primary election day)

Deadline for state chair to certify list of candidates for statewide and district offices who received the necessary votes for nomination at the runoff primary election to Secretary of State if state executive committee canvassed on May 1, 2010. (Sec. 172.122).

Sunday, June 13, 2010 (61st day after the runoff primary election day)

First day the general custodian of election records may (1) require a person who has possession of a key that operates the lock on a ballot box containing voted ballots to return the key to the custodian; and (2) unlock the ballot box and transfer the voted ballots to another secure container for the remainder of the preservation period.

Please note that a political subdivision is not required by law to do this on Sunday, June 13, 2010; they may choose to transfer the voted ballots to another secure container for the remainder of the preservation period on Monday, June 14, 2010 or a later date.

June 2010

Parties hold statewide conventions "any day in June." (Sec. 174.092).

March 2012, Twenty-two (22) months after 2010 Primary and Runoff Elections

Contents of ballot box(es) may be destroyed if no contest or criminal investigation has arisen (Secs. 66.058 and 1.013; 42 U.S.C. 1974) and if no open records request has been filed (Tex. Att'y Gen. ORD-505 (1988)).