Election Judges and Clerks (con’t)

§§ 32.052-32.056

Who CANNOT be an election judge or clerk?

- Public officer.
- Employee or relative of opposed candidate on the ballot.
  - NEW LAW (HB 2110): Adds the party office of precinct chair, so that an employee or relative of an opposed candidate for a public office, the party office of county chair, or the party office of precinct chair may not serve as an election judge or clerk.
- Campaign treasurer or assistant treasurer of candidate in the election.
- Campaign manager of candidate in the election.
- Individual finally convicted of an election offense (deferred adjudication does not constitute a final felony conviction).
Election Judges and Clerks (con’t)

Who **CANNOT** be an election judge or clerk?

- An uncontested candidate **MAY** serve as an election worker.

- A candidate for a contested office **may not** serve in an election held on the same day as that election in any precinct in which the office sought is to be voted on.

**Note:** An incumbent cannot serve since they are disqualified as an elected public officer.
Election Judges and Clerks (con’t)

§§ 32.071-32.075

• What does a judge do?

  – Manage polling place; must be present all day.
  – Administer any oaths required.
  – Complete and sign judge’s portion of provisional voter affidavit.
  – Sign off on other necessary forms such as Statement of Compensation and Oaths.
  – Designate working hours and assign duties for clerks.
  – May appoint special peace officers (required to be licensed as peace officers by Texas Commission on Law Enforcement), as needed, to preserve order.
  – Has power of district court judge while serving at polling place, including power to issue arrest warrants.
Election Judges and Clerks (con’t)

§ 32.072

• What does a clerk do?
  
  – Perform duties assigned by judge, such as
    • Help set up polling area
    • Qualify/Process Voters
    • Assist voters who are qualified for and request assistance in the polling place
    • Perform curbside voting
    • Count ballots/assist in precinct tabulation procedures in the polling place
  
  – Administer any oaths required
Hours

§§ 41.031, 41.032; Chapter 62

• 7 a.m. to 7 p.m.
  — Early Voting Clerk
  — Voter Registrar

• The polling place should be completely set up by 7 a.m.
  — Set up the voter check in table
  — Post all requisite signage

• Remember: anyone in line at 7 p.m. can vote.
Who is allowed in the polling place?

- Voters (§ 63.001)

- Minors
  - With parent/guardian (§ 64.002)
  - Students voting in student election (§ 276.007)

- Election Workers
  - Judges and Clerks (§§ 32.071, 32.072)
  - Vendor representatives/repair technicians (§ 125.010)
Who is allowed in the polling place? (cont’d)

• Observers:
  – Pollwatchers (§ 33.052)
  – State Inspectors (§ 34.002)
  – SOS and SOS staff (§ 34.004)

• County chair **(NEW LAW (HB 1996), § 172.1113)**
  – For the primary election ONLY
  – To perform “administrative functions related to the conduct of the election.”