



## INSTRUCTIONS

1. There must be three original sets of tally sheets kept. (Sec. 65.004)
2. Each tally sheet must include:
  - name and offices of candidates and/or for and against measure(s)**
  - date of election
  - precinct number
  - type of election
  - name of presiding judge
  - signature of person keeping the tally sheet
3. Periodically, the tally sheets must be compared for any errors or discrepancies, and if they are found, the ballots must be recounted and the necessary corrections made.
4. In all elections where straight party voting is allowed, it is necessary to list the name of each political party under the column for candidates. A straight party vote is one in which the party box is marked and no other individual boxes for candidates for other parties are marked. Count a straight ticket ballot by tallying for the political party receiving the vote instead of tallying for each candidate of that political party to avoid duplication of votes. (See below)
 

**After all ballots are counted and the election judge is making out the returns, the election judge must add the total number of straight party votes to the total for each candidate of that political party. (Sec. 65.007)**
5. A ballot on which the party box is marked but individual boxes for other candidates are marked is not considered a straight party vote and must be tallied as a split ticket. Tally a vote for each candidate of the political party for which a straight party vote is indicated except for any candidate of that party opposed by a candidate for whom a vote is individually indicated. Tally a vote for each candidate individually indicated.

### EXAMPLE

OFFICE OR "FOR" AND "AGAINST"	Name of Candidates or Propositions	5	10	15	20	25	30	35	40	45	50	55
	Big Party	III	III	II								
	Little Party	III	III	III								

6. 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)
7. When a member of the counting team must be replaced, correct any existing discrepancies in the tally lists. The officer being replaced certifies to the accuracy of that tally list by signing at that time and indicating the final vote tallied by him/her for each candidate or proposition.
8. On completing the count, each counting officer computes the total number of votes cast for each candidate and for or against each proposition and enters the totals on the tally list. After verifying that all three lists are in agreement, each counting officer signs that officer's list.

**POLL LIST**  
*(LISTA DE VOTANTES)*

Type of Election <i>(Tipo de Elección)</i>	Precinct No. <i>(Núm. de Precinto)</i>
Date of Election <i>(Fecha de la Elección)</i>	Authority Conducting Election <i>(Autoridad Administrando la Elección)</i>

(Check one, if applicable)

No. <i>(Núm.)</i>	VUID Number <i>(Núm de VUID)</i>	Name of Voter <i>(Nombre del Votante)</i>	Not on List 63.006	Provisional (63.011)	Similar Name (63.001(c))
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					

Line No.	Voter Assistant (if additional voter assistant lines are necessary, continue on the back of this form) Include Name, Address

The names on the poll list shall be entered in the same order as the names on the signature roster.

Completed Set  
 No. \_\_\_\_ of \_\_\_\_ Pages

# Appendix A

## Handbook for Election Judges & Clerks

### APPENDIX A

#### SECTION A. PRELIMINARY COUNTING PROCEDURE FOR HAND COUNTED PAPER BALLOTS

1.

The presiding judge may tell the counting officers to start counting ballots if it is after

8:00 a.m. and there are more than 10 ballots in the box containing voted ballots. [Sec. 65.002

(a), (b)]

1)

If the counting of ballots has not yet started, it must start at 7:00 p.m. or when the polls close, whichever is later, and continue without interruption until all ballots are counted. [Sec. 65.002(c)]

2)

Each counting team must consist of at least two people. [Sec. 65.001]

NOTE: You may keep track of the number of ballots cast by noting on the poll list when Ballot Boxes No. 1 and No. 2 are interchanged.

2.

Three original tally lists are required. [Sec. 65.004] These tally lists should be completely filled out and include the following:

--

names and offices of candidates and/or propositions;

--

date;

--

precinct number;

--

type of election;

--

name of presiding judge; and

--

signature of the person keeping the tally list.

3.

Before the counting begins, Ballot Box No. 3 should be inspected to ensure that it is empty.

It should then be locked and remain locked (except as authorized by the presiding judge) and within view of the counting officers.

4.

No marks should be made on any ballot by an election officer, except that if a ballot is not counted, an election officer must indicate on the back of the ballot the reason for not counting it. [Sec. 65.010(c)]

5.

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

[Sec. 65.006(a)] If a counting officer is replaced on a counting team after the tallying is begun, the officer to be replaced 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(b)]

#### SECTION B. THE COUNTING PROCEDURE FOR PAPER BALLOTS

1. The counting officers should open the ballot box containing voted ballots as soon as it is received.

2. Provisional ballot envelopes, if any, must be separated from the ballots and placed in Ballot Box No. 4. [1 T.A.C. §§ 81.172-81.174, 81.176]

3. The officer designated as the reader should remove the ballots from the ballot box. [Sec. 65.005]

4. The reader must read and distinctly announce, to the officers keeping the tally lists, each name of a candidate or proposition for which there is a vote. [Sec. 65.005]

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

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

# Appendix A

## Handbook for Election Judges & Clerks

- A ballot shall be counted on all races and propositions where the intent of the voter is clearly ascertainable, except where the law expressly prohibits the counting of the ballot. [Sec. 65.009(c)]
  - If a provisional ballot is found outside a provisional ballot affidavit envelope, the ballot shall not be counted. [Sec. 64.008]
5. As each vote is read, a tally mark is made by the corresponding name or number on the tally lists. [Sec. 65.005(a)]
6. The tally lists should be compared periodically and any errors or discrepancies corrected. [Sec. 65.005(b)] If a discrepancy is discovered, the ballots shall be recounted and the necessary corrections shall be made on the lists.
7. When the reader has completely read and announced all the votes on the ballot, he or she deposits the ballot in Ballot Box No. 3. [Sec. 65.012(a)]
8. Any voted ballot that is not counted is also deposited in Ballot Box No. 3 with an indication on the back of the ballot as to the reason. [Sec. 65.012(b)]
- An individual vote is not counted if:
    - o The intent of the voter cannot be determined. [Sec. 65.009]
    - o The voter marked more than one candidate for one race, except in municipal, school board, or other political subdivision elections where it is possible to vote for more than one candidate in the same race. [Sec. 65.011]
    - o The voter used a sticker or rubber stamp with the name of a write-in candidate printed or written on it. [Sec. 65.008(b)]
    - o A November general election, city council officer elections, an independent and common school district trustee election, special elections for state representative and state senator, or other elections where declaration of write-in is required and the voter writes in the name of a person whose name is not on the list of declared write-in candidates. [Secs. 144.006, 146.031(d), 146.054, 146.055, 146.082, 171.0231, Election Code; Secs. 11.056(c), 11.304, 130.081, 130.0825, Education Code; Sec. 285.131, Health and Safety Code; Secs. 326.0431, 326.0432, Local Government Code; Secs. 36.059, 49.101, 63.0945, Water Code]
    - o The election is a runoff election and the vote is a write-in. [Sec. 146.002]
    - o The voter did not vote for both the presidential and vice-presidential candidate of the same party, except when the voter writes in the name of a declared write-in presidential candidate the vote shall be counted even if the name of the corresponding vice-presidential candidate is not written in. [Sec. 192.037]
  - A ballot is not counted if:
    - o The intent of the voter cannot be determined for any races or propositions on the ballot. [Sec. 65.009]
    - o Two or more marked ballots are folded together in a manner indicating that they were folded together when deposited in the ballot box. [Sec. 65.010(a)(2)]
    - o The ballot is not numbered and the presiding judge determines that the ballot was not provided at the polling place. [Sec. 65.010(a)(1)]
    - o The ballot was not deposited in the ballot box. [Sec. 65.010(a)(4)]
- Failure to mark a ballot in strict conformity with this code does not invalidate the ballot. A vote shall be counted if the voter's intent is clearly ascertainable unless other law prohibits counting the vote. [Sec. 65.009]
9. As each vote is read, a tally mark is made by the corresponding name or number on the tally sheets. [Sec. 65.005(a)]
10. The tally lists should be compared periodically and any errors or discrepancies corrected. [Sec. 65.005(b)]

# Appendix A

## Handbook for

### Election Judges & Clerks

- 1) A vote must be counted if the intent of the voter is clearly ascertainable. [Sec. 65.009(c)]
- 2) An entire ballot cannot be voided if the intent of the voter can be determined for any one race or proposition on the ballot. [Sec. 65.009(c)]
- 3) An individual vote is not counted in the following situations (see next two pages also):
  - An individual vote is not counted if the intent of the voter cannot be determined. [Sec. 65.009(c)]
  - An individual vote is not counted if the voter marked more than one candidate for one race.  
 In municipal, school board, or other political subdivision elections where it is possible to vote for more than one candidate in the same race, a ballot may not be counted if a voter has marked more candidates than are to be elected. [Sec. 65.011] A ballot is not invalid if the voter has marked fewer candidates than the number to be elected. [Sec. 65.009]

VOTE FOR NONE, ONE, TWO, OR THREE
<input checked="" type="checkbox"/> Candidate <input checked="" type="checkbox"/> Candidate <input type="checkbox"/> Candidate <input type="checkbox"/> Candidate <input checked="" type="checkbox"/> Candidate <input checked="" type="checkbox"/> Candidate

**Figure 3. Illustration of over-voting; voter has voted for more candidates than are to be elected. (No portion of this ballot is counted.)**

VOTE FOR NONE, ONE, TWO, OR THREE
<input checked="" type="checkbox"/> Candidate <input type="checkbox"/> Candidate <input checked="" type="checkbox"/> Candidate <input type="checkbox"/> Candidate <input type="checkbox"/> Candidate <input type="checkbox"/> Candidate

**Figure 4. Illustration of under-voting, by which voter has voted for fewer candidates than are to be elected. (A vote is counted for each candidate receiving a vote.)**

- An individual vote is not counted if:
  - The voter used a sticker or rubber stamp with the name of a write-in candidate printed or written on it. [Sec. 65.008(b)]
  - A November general election, city council officer elections, an independent or common school district trustee election, hospital district election, special elections for state representative and state senator, or other elections where declaration of write-in is required and the voter writes in the name of a person whose name is not on the list of declared write-in candidates. [Secs. 144.006, 146.031(d), 146.054, 146.055, 146.082, 171.0231, Election Code; Secs. 11.056(c), 11.304, 130.081, 130.0825, Education Code; Sec. 285.131, Health and Safety Code; Secs. 326.0431, 326.0432, Local Government Code; Secs. 36.059, 49.101, 63.0945, Water Code]
  - The election is a runoff election and a voter writes in any candidate's name; no write-in votes may be counted at a runoff election. [Sec. 146.002]

# Appendix A

## Handbook for Election Judges & Clerks

- 1) A vote must be counted if the intent of the voter is clearly ascertainable. [Sec. 65.009(c)]
- 2) An entire ballot cannot be voided if the intent of the voter can be determined for any one race or proposition on the ballot. [Sec. 65.009(c)]
- 3) An individual vote is not counted in the following situations (see next two pages also):
  - An individual vote is not counted if the intent of the voter cannot be determined. [Sec. 65.009(c)]
  - An individual vote is not counted if the voter marked more than one candidate for one race.

In municipal, school board, or other political subdivision elections where it is possible to vote for more than one candidate in the same race, a ballot may not be counted if a voter has marked more candidates than are to be elected. [Sec. 65.011] A ballot is not invalid if the voter has marked fewer candidates than the number to be elected. [Sec. 65.009]

VOTE FOR NONE, ONE, TWO, OR THREE	
	<input checked="" type="checkbox"/> Candidate
	<input checked="" type="checkbox"/> Candidate
	<input type="checkbox"/> Candidate
	<input type="checkbox"/> Candidate
	<input checked="" type="checkbox"/> Candidate
	<input checked="" type="checkbox"/> Candidate

**Figure 3. Illustration of over-voting; voter has voted for more candidates than are to be elected. (No portion of this ballot is counted.)**

VOTE FOR NONE, ONE, TWO, OR THREE	
	* <input checked="" type="checkbox"/> Candidate
	<input type="checkbox"/> Candidate
	* <input checked="" type="checkbox"/> Candidate
	<input type="checkbox"/> Candidate
	<input type="checkbox"/> Candidate
	<input type="checkbox"/> Candidate

**Figure 4. Illustration of under-voting, by which voter has voted for fewer candidates than are to be elected. (A vote is counted for each candidate receiving a vote.)**

- An individual vote is not counted if:
  - The voter used a sticker or rubber stamp with the name of a write-in candidate printed or written on it. [Sec. 65.008(b)]
  - A November general election, city council officer elections, an independent or common school district trustee election, hospital district election, special elections for state representative and state senator, or other elections where declaration of write-in is required and the voter writes in the name of a person whose name is not on the list of declared write-in candidates. [Secs. 144.006, 146.031(d), 146.054, 146.055, 146.082, 171.0231, Election Code; Secs. 11.056(c), 11.304, 130.081, 130.0825, Education Code; Sec. 285.131, Health and Safety Code; Secs. 326.0431, 326.0432, Local Government Code; Secs. 36.059, 49.101, 63.0945, Water Code]
  - The election is a runoff election and a voter writes in any candidate's name; no write-in votes may be counted at a runoff election. [Sec. 146.002]

# Appendix A

## Handbook for Election Judges & Clerks

- The voter voted for the presidential candidate of one party and the vice-presidential candidate of another party or voted for the presidential or vice-presidential candidate of one party and wrote in the name of a candidate he or she desires to vote for instead of that candidate's running mate. [Sec. 192.037]
- 4) A ballot is not counted in the following situations:
- A ballot is not counted if the intent of the voter cannot be determined. [Sec. 65.009] (See Figure 9.)

Candidates for	PARTY A	PARTY B	PARTY C	INDEPENDENT	WRITE-IN
First Office	<input checked="" type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input checked="" type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/>
Second Office	<input checked="" type="checkbox"/> Candidate	<input checked="" type="checkbox"/> Candidate		<input type="checkbox"/> Candidate	<input type="checkbox"/>
Third Office	<input type="checkbox"/> Candidate	<input checked="" type="checkbox"/> Candidate		<input checked="" type="checkbox"/> Candidate	<input checked="" type="checkbox"/> <i>Joe Doe</i>
Fourth Office	<input checked="" type="checkbox"/> Candidate	<input checked="" type="checkbox"/> Candidate			
Fifth Office	<input checked="" type="checkbox"/> Candidate		<input checked="" type="checkbox"/> Candidate		
Sixth Office	<input type="checkbox"/> Candidate	<input checked="" type="checkbox"/> Candidate	<input checked="" type="checkbox"/> Candidate		
Seventh Office	<input checked="" type="checkbox"/> Candidate	<input checked="" type="checkbox"/> Candidate			
Eighth Office	<input checked="" type="checkbox"/> Candidate	<input checked="" type="checkbox"/> Candidate		<input type="checkbox"/> Candidate	
Etc.					

**Figure 5. Illustration of lack of knowledge of intent of voter.  
(No portion of this ballot is counted.)**

- A ballot is not counted if two or more marked ballots are folded together in a manner that indicates they were folded together when deposited in the ballot box by the voter. [Sec. 65.010(a)(2)]  
**NOTE:** If you have a marked ballot folded along with a blank ballot, you should still count the marked ballot. The voter may have unintentionally picked up two ballots, but only voted one.
- A ballot is not counted if the ballot is not numbered or not signed by the judge and the judge determines the ballot was not provided at the polling place. A ballot that is unnumbered or unsigned may be counted if the judge determines that it was provided at the polling place. [Sec. 65.010(a)(1) and (b)]
- If a marked ballot is found in a location other than inside the ballot box, the entire ballot may not be counted. The election judge must make a notation on the back of the ballot as to the reason it was not counted. This ballot is then placed in Ballot Box No. 3 with other ballots that have been counted. [Sec. 65.010(a)(4)]
- A provisional ballot is not counted if it is found by an election worker in the ballot box and it is not sealed in the provisional voter affidavit envelope. [1 T.A.C. §§ 81.172-81.174, 81.176]
- Write-in Votes.
  - In a November general election, city council officer elections, an independent or common school district trustee election, hospital district election, special elections for state representative and state senator, or other elections where declaration of write-in is required and the voter writes in the name of a person whose name is not on the list of declared write-in candidates, the vote is not counted. [Secs. 144.006, 146.031(d), 146.054, 146.055, 146.082, 171.0231, Election Code; Secs. 11.056(c), 11.304, 130.081, 130.0825, Education Code; Sec. 285.131, Health and Safety Code; Secs. 326.0431, 326.0432, Local Government Code; Secs. 36.059, 49.101, 63.0945, Water Code]



# Appendix A

## Handbook for

### Election Judges & Clerks

- In all elections other than those listed in above, all write-ins are counted. [Sec. 146.001].
- If only one candidate files for precinct chair, the election for that office is not held and the county chair shall prepare a sign notifying voters that the candidate will be declared elected to the office at the time of the local canvass. An election officer shall post the sign in one or more locations in the polling place. [Sec. 171.0221]
- In a runoff election, no write-ins are counted. [Sec. 146.002]
- The first time a name is read, enter it on the tally list and also make a tally mark by the name. Each subsequent time the name is read, make a tally mark by the name. [Sec. 65.005(a)]

Candidates for	PARTY A	PARTY B	PARTY C	INDEPENDENT	WRITE-IN
First Office	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate	<input type="checkbox"/> Candidate		* <input type="checkbox"/> <i>Joe Doe</i>
Second Office	<input type="checkbox"/> Candidate	* <input checked="" type="checkbox"/> Candidate			<input type="checkbox"/>
Third Office	<input type="checkbox"/> Candidate	* <input checked="" type="checkbox"/> Candidate			<input type="checkbox"/>
Fourth Office	<input type="checkbox"/> Candidate	<input checked="" type="checkbox"/> Candidate			
Fifth Office	<input type="checkbox"/> Candidate				
Sixth Office	<input type="checkbox"/> Candidate				
Seventh Office	<input type="checkbox"/> Candidate	* <input checked="" type="checkbox"/> Candidate			
Eighth Office	<input type="checkbox"/> Candidate	* <input checked="" type="checkbox"/> Candidate			
Etc.					

**Figure 6. Casting a write-in vote. Illustration of Guideline 6.  
(The asterisks indicate the candidates for whom the ballot is counted.)**

Guideline No. 6. Where voter fails to properly mark an "X" in the write-in box, the write-in vote may be counted if the voter has written in the name of the declared write-in candidate for elections where declarations are required or name of person in elections where they are not required and the presiding judge can determine the intent of the voter. [Secs. 52.070(e), 65.009]

A ballot voted where the voter only marked an "X" in the write-in square and did not write-in the name of a declared write-in candidate should not be counted.