

Ordering the Election

The constitutional amendment election is ordered by the governor. However, the commissioners court should also complete a local order to ensure that all required actions related to the election have been completed. You may use the Secretary of State's [form](#) to order the election.

Notice of the Election

Pursuant to §4.003 and §4.007 of the Texas Election Code, you are required to give notice of November 2, 2021 Constitutional Amendment Special Election by any one of the following methods:

- (1) by publishing the notice in a newspaper of general circulation in the county between Sunday, October 3, 2021 and Saturday, October 23, 2021;
- (2) by posting a copy of the notice at a public place in each election precinct on or before Tuesday, October 12, 2021; or
- (3) by mailing the notice to each registered voter in the county no later than Saturday, October 23, 2021.

This notice **must** include:

- (1) The type and date of the election;
- (2) The location of each polling place, including the street address, room number, and building name;
- (3) The hours the polls will be open;
- (4) The location of the main early voting polling place, including the street address, room number, and building name. The notice must designate which location is the main early voting polling place;
- (5) The regular dates and hours for early voting by personal appearance;
- (6) The dates and hours of any Saturday or Sunday early voting, if any; and
- (7) The early voting clerk's official mailing address or street address at which the clerk may receive delivery by common or contract carrier, if different, phone number, e-mail address, and the Internet website, if the early voting clerk has an Internet website
- (8) We ***recommend*** that the information regarding branch early voting locations be included as part of your notice.

Providing Notice of the Election

Counties are required to publish their notice in a newspaper in accordance with Section 4.003(a)(1) and 4.003(c). In addition to the method of giving notice stated above, you may also post a notice of the election on the bulletin board used for posting open meetings and notices of commissioners court meetings no later than Tuesday, October 12, 2021. A [sample notice](#) is available on our website. You will need to add the

following language to the notice form after “for voting in a special election to” (and after “*para votar en la Elección Especial para*”):

“adopt or reject the proposed Constitutional Amendments as submitted by the 87th Legislature, Regular Session, of the State of Texas.” (“*adoptar o rechazar las enmiendas a la constitución propuestas tal como fueron presentadas por la 87^a Legislatura Sesión Regular del Estado de Texas.*”)

Notice of Consolidated Precinct

For each precinct that is combined to form a consolidated precinct under Section 42.008 of the Texas Election Code, not later than Saturday, October 23, 2021, you shall also post at the polling place used in the preceding general election notice of the precinct's consolidation and the location of the polling place in the consolidated precinct. The notice must remain posted continuously through election day.

Writs of Election for Judges

You are also responsible for sending to each election judge a writ of election, which is notice to the judge of his/her duty to hold the election on November 2, 2021. The writ must be sent no later than Monday, October 18, 2021. A sample form is available on our website. In the space for the “Nature of Election,” we recommend the following verbiage:

“To adopt or reject the proposed Constitutional Amendments as submitted by the 87th Legislature, Regular Session, of the State of Texas.”

Canvassing the Election

The commissioners court must canvass the constitutional amendment election no earlier than Friday, November 5, 2021 and no later than Monday, November 15, 2021. The canvass may not be conducted until the early voting ballot board has verified and counted all provisional ballots, if a provisional ballot has been cast in the election, **AND** counted all timely received mailed domestic ballots cast from addresses within the United States and all timely received mailed ballots cast from addresses outside the United States. The officially **canvassed returns for the state constitutional amendment election must be delivered by the county election officer to the Secretary of State within 24 hours of the canvass.**

If you have any questions regarding the constitutional amendment election, please feel free to contact the Elections Division toll-free at 1-800-252-8683 or at Elections@sos.texas.gov.

Keith Ingram
Director, Elections Division
Office of the Secretary of State
800-252-VOTE(8683)