

# **CHAPTER 2**

## **EARLY VOTING CLERK**

### **SECTION A: EARLY VOTING CLERK**

#### COUNTY

1. The county clerk/elections administrator is always the early voting clerk in:
  - a. general elections for state and county officers;
  - b. other countywide elections held at county expense;
  - c. primary elections; and
  - d. special elections ordered by the Governor. [Sec. 83.002]
2. The county clerk/elections administrator is the early voting clerk in less-than-countywide elections ordered by the commissioners court and held at county expense, unless another person is appointed. [Sec. 83.003(a)]
3. The county clerk/elections administrator may also be appointed to serve as early voting clerk in elections ordered by the commissioners court that are less-than-countywide and not held at county expense. [Sec. 83.004]
4. The county clerk may also serve by contract for other political subdivisions. An elections administrator has a duty to contract if requested to do so by a political subdivision or political party. [Secs. 31.092, 31.093]

#### CITY

In an election ordered by a city authority, the city secretary is the early voting clerk. [Sec. 83.005]

#### SCHOOL/OTHER POLITICAL SUBDIVISIONS

1. In an election ordered by an authority of a political subdivision other than a county or city, the authority shall appoint the early voting clerk. [Sec. 83.006] The early voting clerk:
  - a. Must be a qualified voter of the political subdivision.
  - b. Cannot be a:
    - (1 public officer; [Sec. 32.052])
    - (2 candidate; [Sec. 32.053])

)

(3 relative; or [Sec. 32.054]

)

(4 employee of opposed candidate. [Sec. 32.054]

)

NOTE: Can be an employee of political subdivision if political subdivision's governing body approves appointment. [Sec. 83.006(b)(3)]

2. The early voting clerk's office must be open from 7 a.m. to 7 p.m. on election day for early voting duties. [Sec. 83.011]

## **SECTION B: DEPUTY EARLY VOTING CLERKS**

### **COUNTY**

1. County clerks may, by written order, appoint their permanent deputies as deputy early voting clerks, or they may appoint temporary deputy early voting clerks. Temporary deputies must:
  - a. Be qualified voters of the county.
  - b. Otherwise meet the qualifications of election judges. [Sec. 83.032]
2. An employee of the clerk or of the county is not disqualified by virtue of employment. [Sec. 83.032(b)(2)]

### **CITY**

The city secretary may, by written order, appoint permanent deputies as deputy early voting clerks, or the secretary may appoint temporary deputy early voting clerks. Temporary deputies must:

- a. Be qualified voters of the city; and
- b. Otherwise meet the qualifications of election judges

NOTE: An employee of the clerk or the city is not disqualified by virtue of employment. [Sec. 83.032]

### **SCHOOL/OTHER POLITICAL SUBDIVISION**

In other political subdivisions, the authority appointing the early voting clerk, by written order, may appoint one or more deputy early voting clerks. The deputy early voting clerk must meet the

requirements for eligibility for appointment as the early voting clerk. [Sec. 83.033]

## SECTION C: COMPENSATION

### COUNTY

1. County clerk receives no additional compensation. [Sec. 83.051]
2. Permanent deputies may be appointed to serve without additional compensation. [Sec. 83.052]
3. Temporary deputies -- compensation allowed, but not specified by Election Code.

### CITY

City secretary receives no additional compensation for serving as early voting clerk. [Sec. 83.051]

### SCHOOL/OTHER POLITICAL SUBDIVISION

1. Other early voting clerks and deputy early voting clerks are entitled to additional compensation. [Sec. 83.052]
2. Early voting clerks or permanent deputies who are employees of a political subdivision may be appointed to serve without additional compensation. [Sec. 83.053]
3. Temporary deputies -- compensation allowed, but not specified by Election Code.