



Deadlines for May 4, 2019 School District Trustee Elections

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This memo provides important dates and deadlines applicable to school districts preparing for the May 4, 2019 trustee election. Consult TASB Legal Services' [Guide to School District Elections](#), available in the TASB Store, for detailed information on all aspects of school district elections, including the process for filing and processing a candidate application; the role of the school board and district officials in ordering, conducting, and finalizing an election; campaign finance procedures and requirements; and political advertising. In addition, reference the attached [Helpful Resources](#) for [forms](#) and other election information. Specific information regarding a district's election procedures may be found in TASB Policy BBB series.

Most of the dates below pertain to a general trustee election. Deadlines for a special election to fill a trustee vacancy may vary from a general trustee election. Some special election dates are included, but a district holding a special election should contact the Elections Division, TASB Legal Services, or the district's school attorney for answers to more specific questions.

Deadlines and requirements for tax ratification elections (TREs) or bond elections also may be different. For information on TREs, please consult TASB Legal Services' [2018 Tax Ratification Election Information and Timelines](#). For information on bond elections, review TASB Policy CCA(LLEGAL) or contact the Elections Division, TASB Legal Services, or the district's school attorney or bond counsel.

Campaign finance deadlines are not included below but may be obtained from the Texas Ethics Commission.

The Elections Division creates and maintains a comprehensive [election law calendar](#) for each uniform election date. The most important general election dates for school districts are as follows:

- **Monday, December 17, 2018:** Deadline to post notice of application filing period.
- **Wednesday, January 16, 2019:** First day to file an application for a place on the ballot or declaration of write-in candidacy.

Note: Filing may begin before the board orders a **general election. School districts are required to make applications available for potential candidates. The Elections Division offers a [sample application](#).*

- **Monday, February 4, 2019:** Deadline to file with the Secretary of State regarding an exemption from the use of accessible voting equipment. The Elections Division offers more information on exemptions from [voting system accessibility requirements](#) and [Electronic Voting System Procedures](#), including equipment testing.
- **Friday, February 15, 2019:**
 - Deadline to order the May general election. The Elections Division offers a sample [Order of Election \(Form AW1-3\)](#).
 - Deadline to file application for a place on the ballot (5:00 p.m.).
**Note: The Elections Division strongly recommends that someone be available to accept filings on the filing deadline, especially from 2:00-5:00 p.m.*
 - Recommended date to appoint presiding and alternate judges.
- **Tuesday, February 19, 2019:** Deadline to file declaration of write-in candidacy (5:00 p.m.).
- **Friday, February 22, 2019:**
 - Recommended first day an unopposed election may be cancelled if requirements are satisfied. The Election Division's [Cancellation of Election](#) outline is a good resource for more information about this process, and the Elections Division's [forms index](#) contains a sample order of cancellation.
 - Last day a candidate may withdraw from the election (5:00 p.m.). If a candidate withdraws or is declared ineligible by this date, his or her name is omitted from the ballot. Texas Election Code section 145.098 allows withdrawal after the deadline under limited circumstances.
- **Saturday, February 23, 2019:** Deadline to order a special election to fill a vacancy with a filing deadline on the 62nd day before election day.
**Note: A special election that is not held on the uniform date in November of even-numbered years must be ordered as soon as practicable after the vacancy occurs. Other deadlines may depend on when the election is ordered.*
- **Monday, February 25, 2019:** Recommended date to hold drawing to determine order of candidates' names on the ballot. Notice of the date, time, and place of the ballot position drawing must be posted continuously for 72 hours immediately preceding the scheduled time of the drawing and mailed to candidates not later than the fourth day before the drawing
**Note: The Elections Division recommends that a district provide ballot proofs to candidates to verify correctness of their names, positions sought, and order of names.*

- **Monday, March 4, 2019:** Deadline to file application for a place on the ballot or declaration of write-in candidacy in a special election ordered on or before the 70th day before election day.

**Note: This date is extended to Monday because the 62nd day falls on Sunday.*

- **Tuesday, March 5, 2019:** Deadline to deliver notice of the election to the county election officer and voter registrar.
- **Friday, March 8, 2019:** Last day a candidate may withdraw from a special election ordered on or before the 70th day before election day.
- **Friday, March 15 – Thursday June 13, 2019: Mandatory office hours—**A district must keep the office open for election duties for at least three hours each day, during regular office hours, on days on which the district’s main office is regularly open for business. Thus, a district may be closed during this period for a school holiday, even if it is not a state or national holiday.
- **Tuesday, March 19, 2019:**
 - Deadline to challenge an application for a place on the ballot as to form, content, and procedure if ballots are mailed on the 45th day before election day (**Wednesday, March 20, 2019**). If ballots were mailed before that day, this deadline will change.
Note: An application may not be challenged as to form, content, or procedure after the day **before any ballot to be voted early by mail is mailed. For more information on reviewing applications and the process for declaring candidates ineligible, see the Elections Division’s guidance regarding [candidacy filing](#).*
 - Deadline to order a special election to fill a vacancy. If the election is ordered after the 70th day before the election (**Saturday, February 23, 2019**), the filing deadline is the 40th day before election day (**Monday, March 25, 2019**).
**Note: A special election that is not held on the uniform date in November of even-numbered years must be ordered as soon as practicable after the vacancy occurs. Other deadlines may depend on when the election is ordered.*
- **Monday, March 25, 2019:** Deadline to file application for a place on the ballot or declaration of write-in candidacy in a special election ordered after the 70th day but on or before the 46th day before election day.
- **Saturday, March 30, 2019:** Last day a candidate may withdraw from a special election ordered after the 70th day but on or before the 46th day before election day.
- **Thursday, April 4 – Wednesday, April 24, 2019:** Period in which to publish notice of the election.

**Note: School districts are required to publish notice in a local newspaper in addition to giving notice by other methods. School districts also must publish notice of the election on the district's website, if the district maintains one. For more information on notice requirements, see Note 8 in the Elections Division's election law calendar. The Elections Division provides a sample [Notice of Election](#). In addition, the Elections Division strongly recommends that a district also post on its website the notice of voting priority for voters with mobility issues under Texas Election Code section 63.0013. For more information on voting order priority, see note 12 in the Elections Division's election law calendar, which includes a [sample notice](#).*

- **Thursday, April 4, 2019:** Last day to register to vote or make a change of address effective for the May election.
- **Monday, April 15, 2019:** Deadline to post notice of election on bulletin board used for posting board meeting notices.

**Note: This date is extended to Monday because the 21st day falls on Saturday.*

- **Monday, April 22, 2019:** First day to vote early in person.

Note: School districts are **required to be open during the entire early voting period, except on state or national holidays. This differs from the requirements for mandatory office hours.*

- **Tuesday, April 30, 2019:** Last day to vote early in person.
- **Saturday, May 4, 2019: Election Day**—Polling places must be open from 7:00 a.m. to 7:00 p.m.

- **Tuesday, May 7 – Wednesday, May 15, 2019: Canvassing period**

**Note: The canvass may not be conducted until the early voting ballot board (EVBB) has verified and counted all provisional ballots and finished convening for all late arriving ballots. For more information on the EVBB, see the Elections Division's [EVBB Handbook](#). If a district cancelled its election due to unopposed candidates, this is the first day the newly elected (unopposed) candidates may be issued a certificate of election and take the oath of office.*

For additional information on post-election procedures, see TASB Legal Services' [After the School Board Election](#). In addition, the Elections Division publishes a memo regarding post-election procedures and qualifying for office after each election.

- **Monday, June 3, 2019:** Deadline to file electronic precinct-by-precinct returns with the Secretary of State.

HELPFUL RESOURCES

TASB

Legal Services

- [Guide to School District Elections](#)
- [An Overview of School Board Member Resignations](#)
- [Campaign Speech During Elections](#)
- [Dual Office Holding Issues for School Board Trustees](#)
- [Schools as Polling Places](#)
- [Use of Public Funds](#)
- TASB School Law eSource [Elections](#) page
- TASB School Law eSource [Nepotism/Conflicts of Interest](#) page

Leadership Team Services

- [Electing Board Officers](#)

Secretary of State [Elections Division](#)

- [Application for a Place on the General Election Ballot](#)
- [Cancellation of Election](#)
- [Certain Activities in Vicinity of Polling Places](#)
- [Exemptions to Voting System Accessibility Requirements](#)
- [Electronic Voting System Procedures](#)
- [Handbook for Election Judges and Clerks](#)
- [Handguns in Polling Places \(KP-0212\)](#)
- [Joint Elections and Polling Places FAQ](#)
- [Mandatory ISD Joint Elections FAQ](#)
- [Political Subdivisions Forms Index](#)
- [Procedures to Request and Conduct a Recount](#)
- [Required Oaths for Election Offices](#)

- [Student Election Clerk FAQ](#)
- [Voter Identification Procedures Under Senate Bill 5 \(2017\)](#)
- [Voter Registration Requirements for Candidates \(House Bill 484\) Frequently Asked Questions](#)
- Information on [voting systems](#) and [criminal background checks](#)

Texas Ethics Commission

- [A Short Guide to the Prohibition against Using School District Resources for Political Advertising](#)
- [Advocating Passage or Defeat of a Measure](#)
- [Campaign Finance Guide for Political Committees](#)
- [Campaign Finance Guide for Candidates and Officeholders Who File with Local Filing Authorities](#)
- [Enforcement and Sworn Complaints](#) website
- [Filing a Treasurer Appointment](#)
- [First Steps for Candidates Running for School Board Trustee](#)
- [Guide to a Local Filing Authority's Duties under the Campaign Finance Law](#)
- [Political Advertising: What You Need to Know](#)
- [Political Fundraisers: What You Need to Know](#)

Other

- Disability Rights Texas, [Basic Guide to Polling Place Accessibility](#) and [Election Workers Guide to Serving Voters with Disabilities](#)
- Texas School Safety Center, [School Safety Law Toolkit](#), including [Polling Place Safety Checklist](#)

This document is continually updated, and references to online resources are hyperlinked, at tasb.org/Services/Legal-Services/TASB-School-Law-eSource/Governance/documents/may_elections_memo.pdf. For more information on this and other school law topics, visit TASB School Law eSource at schoollawesource.tasb.org.

This document is provided for educational purposes only and contains information to facilitate a general understanding of the law. It is not an exhaustive treatment of the law on this subject nor is it intended to substitute for the advice of an attorney. Consult with your own attorneys to apply these legal principles to specific fact situations.

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