



Deadlines for May 6, 2023 School District Trustee Elections

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This memo provides important dates and deadlines applicable to school districts preparing for the May 6, 2023 trustee election. TASB Policy BBB series contains specific information regarding a district's election procedures. Additional election resources are available at TASB School Law eSource, [Governance—Elections](#), and on the [Texas Secretary of State's Elections Division website](#).

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 more specific guidance.

Deadlines and requirements for voter-approval tax rate elections (VATREs) or bond elections may also be different. Bond elections are addressed in TASB Policy CCA, and VATREs are addressed in TASB Policy CCG. For more information on VATREs, see eSource at [Business—Finance, Taxation, and Revenue—Taxation and Voter-Approval Tax Rate Elections](#); for information on bond issuances, see eSource at [Business—Finance, Taxation, and Revenue—Bonds, Other Revenue, and Investments](#).

Campaign finance deadlines are not included below but may be obtained from the [Texas Ethics Commission](#).

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

- **Monday, December 19, 2022:** Deadline to post notice of candidate application filing period.
**Note: The notice must designate an email address that can be used for the purpose of filing an application for a place on the ballot.*
- **Wednesday, January 18, 2023:** First day to file an application for a place on the ballot or declaration of write-in candidacy for the general election.
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 prescribes the [Application for a Place on the Ballot for a General Election for a City, School District or Other Political Subdivision \(Form 2-26\)](#). The application was amended in response to legislative changes. Thus, it is very important that districts provide and candidates use Form 2-26 revised after September 2021; the most recent revision date is*

located in the upper left corner of the form under the form number. **Note: Documents may now be filed by email to the designated email address, in addition to personal delivery, mail, fax, or any other method of transmission.*

- **Monday, February 6, 2023:** Deadline to file with the Secretary of State regarding an exemption from the use of accessible voting equipment. For more information, see the [Elections Division Advisory No. 2021-02](#).

- **Tuesday, February 14, 2023:** If a candidate dies on or before this date, the candidate's name **shall be** omitted from the ballot, if the filing deadline is Friday, February 17, 2023.

Note: If a candidate dies after this date, but on or before the deadline for filing an application for a place on the ballot, the authority responsible for preparing the ballot **may omit the candidate's name from the ballot. If the authority does chooses to omit the candidate's name from the ballot due to the candidate's death after February 14, 2023, the deadline for filing an application for a place on the ballot is extended to the fifth day after the filing deadline, Wednesday, February 22, 2023. This extended deadline only applies to the regular filing deadline. It **does not** apply to the write-in candidacy deadline.*

- **Friday, February 17, 2023:**

- Deadline to order the May general election. The Elections Division offers a sample [Order of General Election for Other Political Subdivisions \(Including Schools\)](#).

- Deadline to file an application for a place on the general election 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. An application by mail, fax, or email must be received by the deadline.*

- Deadline to order a special election on a measure. The Elections Division offers a sample [Order of Special Election for Other Political Subdivisions \(Including Schools\)](#).

- Recommended date to appoint presiding and alternate judges; presiding judges and alternates must be given written [Notice of Appointment](#) not later than the 20th day after appointment.

- **Tuesday, February 21, 2023:** Deadline to file [Declaration of Write-in Candidacy](#) in the general election (5:00 p.m.).

- **Friday, February 24, 2023:**

- Recommended first day to cancel an unopposed election if all requirements are satisfied. The Election Division's [Cancellation of Election](#) outline provides information about this process, and the Elections Division offers a [Certification of Unopposed Candidates](#) and sample [Order of Cancellation](#).

- Last day a candidate may submit a [Certificate of Withdrawal](#) or notarized letter to withdraw from the general election (5:00 p.m.) or as a write-in candidate in the general election. If a candidate withdraws or is declared ineligible by this date, the candidate's name is omitted from the ballot. Texas Election Code section 145.098 allows withdrawal after the deadline under limited circumstances.
- **Saturday, February 25, 2023:** 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 27, 2023:** Recommended date to hold drawing to determine order of candidates' names on the ballot. Notice of the date, time, and place of the ballot drawing must be posted continuously for 72 hours immediately preceding the scheduled time of the drawing. A district must provide notice of the drawing to each candidate by one of the following methods:
 1. written notice mailed to the candidate not later than the fourth day before the drawing or provided at the time the candidate files an application;
 2. telephone, if a telephone number is provided on the candidate's application; or
 3. email, if an email address is provided on the candidate's application.**Note: The Elections Division recommends that a district provide ballot proofs to candidates to verify accuracy of their names, positions sought, and order of names.*
- **Monday, March 6, 2023:** Deadline to file an application for a place on the ballot in a special election to fill a vacancy or declaration of write-in candidacy in a special election to fill a vacancy that is ordered on or before the 70th day before election day, Saturday, February 25, 2023.
- **Tuesday, March 7, 2023:** Deadline to deliver notice of the election to the county election officer and voter registrar of each county in which the district is located.
- **Friday, March 10, 2023:** Last day a candidate may submit a [Certificate of Withdrawal](#) or notarized letter to withdraw from a **special election** ordered on or before the 70th day before election day, Saturday, February 25, 2023. If a candidate withdraws or is declared ineligible by this date, the candidate's name is omitted from the ballot.
- **Friday, March 17 – Thursday June 15, 2021: 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.
**Note: Office hours for a special election begin the third day after the election is ordered.*

- **Friday, March 17, 2023:** Deadline to challenge an application for a place on the ballot as to form, content, and procedure.

**Note: An application may not be challenged as to form, content, or procedure after the 50th day before the date of the election. For more information on reviewing applications and the process for declaring candidates ineligible, see the Elections Division’s guidance regarding [candidacy filing](#).*

- **Tuesday, March 21, 2023:** Last day to order a special election to fill a vacancy.
- **Monday, March 27, 2023:** Deadline to file an 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, April 1, 2023:** Last day a candidate may submit a [Certificate of Withdrawal](#) or notarized letter to withdraw from a special election ordered after the 70th day but on or before the 46th day before election day. If a candidate withdraws or is declared ineligible by this date, the candidate’s name is omitted from the ballot.
- **Thursday, April 6 – Wednesday, April 26, 2023:** 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. The Elections Division provides a sample [Notice of Election](#). Districts holding bond elections must satisfy additional notice requirements. A district should work closely with its attorneys to ensure compliance. For more information on notice requirements, see Note 9 in the Elections Division’s election law calendar.*

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 63.0015. For more information, see note 16 in the Elections Division’s election law calendar.

- **Thursday, April 6, 2023:** Last day to register to vote or make a change of address effective for the May election.
- **Saturday, April 15, 2023:**

- Deadline to post notice of election on bulletin board used for posting board meeting notices. A [Record of Posting Notice of Election](#) should be completed at the time of posting.

Note: The county must post a copy of a notice of election provided by a district under Texas Election Code section 4.008(a) on the county’s website. A district **may post a copy of the notice on the bulletin board used for posting board meeting notices.*

- Deadline to post additional information on the district website:
 1. The date of the election
 2. The location of each polling place
 3. Each candidate for an elected office on the ballot
 4. Each measure on the ballot
- For bond elections, this is the deadline for a district to post its bond election order in three public places in the district and the first day a district must post the election order along with the notice of the election, the contents of the proposition, and any sample ballot prepared for the election prominently on its website. Consult bond counsel for additional specific guidance.
- **Monday, April 24, 2023:** 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, May 2, 2023:** Last day to vote early in person.
- **Thursday, May 4, 2023:** Deadline to post the requirements and deadline for filing for candidacy for school board trustee for the May 4, 2024 general election.
- **Saturday, May 6, 2023: Election Day**—Polling places must be open from 7:00 a.m. to 7:00 p.m.
- **Tuesday, May 9 – Wednesday, May 17, 2023: Canvassing period**

Note: The canvass may not be conducted until the early voting ballot board (EVBB) has verified and counted all provisional ballots, if any, **and all timely-received ballots by mail. 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.
- **As soon as practicable after the election:** Post additional information on the district website:
 - Results of each election
 - Total number of votes cast
 - Total number of votes cast for each candidate or for or against each measure
 - Total number of votes cast by personal appearance on election day

- Total number of votes cast by personal appearance or mail during the early voting period
- Total number of counted and uncounted provisional ballots cast

**Note: The Elections Division recommends that the election results information remain posted on the school district's main page (or within two clicks of the main page) at least until the next election, and that the information continues to be available for the full 22-month retention period for elections.*

- **Sunday, May 21, 2023:** Deadline to make election records from the election available in electronic format for a fee of no more than \$50.00.

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

This document is continually updated, and references to online resources are hyperlinked, at tasb.org/services/legal-services/tasb-school-law-esource/governance/documents/deadlines-for-may-school-district-elections.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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