On March 31, 2020, Governor Abbott issued Executive Order GA-14. Among other things, this order extends social distancing guidelines through April 30, 2020, defines essential services, and extends school closures across the state until May 4, 2020. On April 2, 2020, the Secretary of State Elections Division emailed election officials advising that entities that have not postponed their May 2, 2020 elections “must take action to do so immediately!” According to the Elections Division, failure to postpone an election may put the election at risk for an election contest. This April 2 guidance is attached.

A district may postpone its May 2 election pursuant to Governor Abbott’s proclamation authorizing political subdivisions to postpone those elections to the November 3, 2020 uniform election date. The Elections Division issued Election Advisories No. 2020-12 and No. 2020-24 to provide guidance (the guidance) to political subdivisions postponing their elections. On March 19 and again on March 24, the Elections Division emailed additional guidance; both emails are attached.

School districts should review all of the guidance and consider the following in postponing their elections:

- **Board action is required** to postpone the election. The guidance sets out what should be included in the order postponing the election. Consult your district’s attorney for assistance in drafting the order.
- If you are holding a bond election, **consult bond counsel** for assistance in drafting the postponement order for your bond election.
- Action to postpone should be taken as soon as possible. Work with your district’s attorney to ensure compliance with the Texas Open Meetings Act.
- After the board acts to postpone the election, **give notice** as follows:
  - **To Voters**: Post notice on the district website and alert any local media regarding the postponement.
  - **To County Election Officer**: Provide notice to the county election officer because the county is required to post the district’s notice of election on the county’s website.
  - **At Polling Places**: If possible and safe under local circumstances, post notice at the polling locations that would have been used for the election. The ability to do so may be limited by local orders. Do not put anyone at risk by posting a physical notice.
To the Elections Division: Advise the Elections Division of the board’s action to postpone at elections@sos.texas.gov.

- The postponement will not affect a district’s election schedule in future years.
- If a district cancelled all or part of its election prior to the May 2, 2020 election date, candidates declared elected should have been sworn in during the May canvass period. If a district cancelled its election after postponement, any unopposed candidate declared elected will be sworn in during the November canvass period (November 6–17).
- The Governor’s proclamation only authorizes postponement to November 3, 2020. According to the Elections Division, there are likely only two ways to postpone to a different date:
  - Emergency Election under Texas Election Code section 41.0011(b): A local political subdivision may request permission from the Governor to order a special election on a nonuniform election date. This does not apply to general elections.
  - Court Order for Nonuniform Election Date: A political subdivision that wants to hold its general election on a date other than November 3, 2020, might seek a court order for an alternative date.

Additional questions should be directed to the Elections Division or TASB Legal Services. If you email a question, include a current phone number at which you can be reached.