

Chapter 30 - Elections

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ARTICLE I. - IN GENERAL

Secs. 30-1—30-30. - Reserved.

ARTICLE II. - ELECTION JUDGES²

DIVISION 1. - GENERALLY

Sec. 30-31. - Appointment of presiding and alternate judges.

The county commissioners court shall appoint presiding judges and alternate judges as designated for voting precincts for special and general elections.

(Ord. No. 99-1417, 8-3-1999; Ord. No. 2000-1617, 8-14-2000; Ord. No. 2001-2416, 12-18-2001; Ord. No. 2002-1501, 8-20-2002; Ord. No. 2003-1294, 7-22-2003; Ord. No. 2004-1380, 8-10-2004; Ord. No. 2005-1427, 8-2-2005)

Sec. 30-32. - Policies for appointment.

The commissioners court adopts the following policies:

- (1) The commissioners court will consider an individual for appointment as an election official, including judge or alternate judge, any person who has not:
 - a. Been convicted of, or have an unresolved criminal charge of, a felony, a crime involving moral turpitude or a violation of the state election code.
 - b. Been the subject of one or more complaints, filed with the elections administrator in any prior election, which allege violations of the election laws and county election procedures, if such complaint or complaints have not, in the opinion of the commissioners court, been satisfactorily explained. An explanation is considered satisfactory if the commissioners court is convinced that:
 1. The complaint was unfounded; or
 2. The action or inaction giving rise to the complaint did not threaten the fairness of the election or accuracy of its results.

Factors which the commissioners court shall consider in determining whether a complaint shall result in a refusal to appoint include, but are not limited to:

1. Indicates an inability or unwillingness to establish and maintain order at the polling place;
2. Indicates an inability or unwillingness to treat others with respect;
3. Reflects a failure to timely open the poll and/or failure to be present during the election hours except for absences due to emergencies;

¹ **State Law reference**— Elections, V.T.C.A., [Election Code § 1.01](#) et seq.

² **State Law reference**— Election judges, V.T.C.A., [Election Code § 32.002](#).

4. Reflects a failure to work with other poll officials including, but not limited to, refusal to hire and work clerks of the opposite party.
 - c. Knowingly and willfully hired, worked, or allowed to be present at the polling place (except to legally vote) any person who has been previously rejected for cause or who has or does exhibit any of the factors that would have made them ineligible for appointment as election judge or alternate election judge. Hiring the alternate judge or others required by law will not be considered a violation.
- (2) The elections administrator will provide complaint forms to all interested parties that outline the procedures for reporting on election behavior and the information needed in such complaints. Complaints should be received in writing by the county elections administrator who will, immediately upon receipt of written complaint, notify the person against whom the complaint was filed and provide a copy of the written complaint. Persons nominated for election judge or alternate will be asked to respond in writing to any complaints filed against them, and the elections administrator will provide a report to the commissioners court including the original complaint and the response, if any, of the election judge or alternate or nominee. The elections administrator will notify the election judge or alternate in the event additional training classes are necessary prior to future service.
 - (3) Prior to refusing appointment of any proposed election judge, the commissioners court shall grant such person an opportunity to rebut the allegations made against them by complaint in open court. If the commissioners court still is not satisfied with the proposed election judge's explanation of events, it may refuse his/her appointment.
 - (4) Once appointed, the commissioners court may remove an election judge or alternate judge for cause. Cause will be the presence of any factor that would have caused the person not to be appointed or ineligible for future appointment under the law or under these rules.

(Ord. No. 99-1417, 8-3-1999; Ord. No. 2000-1617, 8-14-2000; Ord. No. 2001-2416, 12-18-2001; Ord. No. 2002-1501, 8-20-2002; Ord. No. 2003-1294, 7-22-2003; Ord. No. 2004-1380, 8-10-2004; Ord. No. 2005-1427, 8-2-2005; Ord. No. 2007-1837, 9-18-2007)

Sec. 30-33. - Compensation.

The election judges will receive compensation of \$9.00 per hour for each hour worked on election day (not to exceed 14 hours) and \$9.00 per hour for each hour worked to mark early voters in poll books (not to exceed two hours), alternate judges and clerks will receive compensation of \$8.00 per hour for each hour worked on election day (not to exceed 14 hours) and \$8.00 per hour for each hour worked to mark early voters in poll books (not to exceed two hours), and \$25.00 additional compensation for the election judge who picks up the election supplies prior to the election and delivers the election results and supplies after the polls close on election night.

(Ord. No. 99-1417, 8-3-1999; Ord. No. 2000-1617, 8-14-2000; Ord. No. 2001-2416, 12-18-2001; Ord. No. 2002-1501, 8-20-2002; Ord. No. 2003-1294, 7-22-2003; Ord. No. 2004-1380, 8-10-2004; Ord. No. 2005-1427, 8-2-2005; Ord. No. 2007-1837, 9-18-2007)

Sec. 30-34. - Election clerks; number.

The maximum number of election clerks that each presiding judge may appoint for county elections is two clerks in addition to the alternate presiding judge, with the actual decision regarding the number of clerks allowed resting with the county elections administrator and varying according to each type of election and size of the voting precinct.

(Ord. No. 99-1417, 8-3-1999; Ord. No. 2000-1617, 8-14-2000; Ord. No. 2001-2416, 12-18-2001; Ord. No. 2002-1501, 8-20-2002; Ord. No. 2003-1294, 7-22-2003; Ord. No. 2004-1380, 8-10-2004; Ord. No. 2005-1427, 8-2-2005; Ord. No. 2007-1837, 9-18-2007)

Sec. 30-35. - Substitution of presiding judges.

The substitution of presiding judges shall be in the following manner:

- (1) The presiding judge and alternate judge shall respond with their willingness to serve on or before the 20th day before an election or not later than 15 days after receipt of notification of the election and their status, whichever is later. They shall respond for each election with an enclosure furnished by the elections department, or otherwise in writing.
- (2) If an election judge confirms that he or she will not be able to serve prior to or on the 20th day before an election, the commissioners court will be timely notified and will fill the vacancy for that election at the next meeting of the commissioners court or at any special meeting that may be called where the issue is on the agenda.
- (3) If the commissioners court fails to act in filling a temporary or permanent vacancy in the office of election judge by the 20th day before the election, the alternate judge will become the judge, or if there is no alternate judge the elections administrator will find a qualified person to hold the election.

(Ord. No. 99-1417, 8-3-1999; Ord. No. 2000-1617, 8-14-2000; Ord. No. 2001-2416, 12-18-2001; Ord. No. 2002-1501, 8-20-2002; Ord. No. 2003-1294, 7-22-2003; Ord. No. 2004-1380, 8-10-2004; Ord. No. 2005-1427, 8-2-2005)

Sec. 30-36. - Replacement of presiding or alternate judges.

The commissioners court may replace presiding or alternate judges up to and including the 20th day before an election.

(Ord. No. 99-1417, 8-3-1999; Ord. No. 2000-1617, 8-14-2000; Ord. No. 2001-2416, 12-18-2001; Ord. No. 2002-1501, 8-20-2002; Ord. No. 2003-1294, 7-22-2003; Ord. No. 2004-1380, 8-10-2004; Ord. No. 2005-1427, 8-2-2005)

Secs. 30-37—30-60. - Reserved.

DIVISION 2. - EARLY VOTING JUDGES³

Sec. 30-61. - Appointment; attendance of training classes; compensation.

- (a) The commissioners court shall appoint early voting judges for early voting locations for special and general elections.
- (b) The designated early voting judges shall be required to attend all pertinent training classes taught by the county elections department.
- (c) Early voting judges will receive compensation as county extra-help employees and \$25.00 additional compensation to deliver iVotronic totals on the final day of early voting.

³ **State Law reference**— Election judges, V.T.C.A., [Election Code § 32.001](#) et seq.

(Ord. No. 99-1418, 8-3-1999; Ord. No. 2000-1618, 8-14-2000; Ord. No. 2001-2417, 12-18-2001; Ord. No. 2002-1500, 8-20-2002; Ord. No. 2003-1295, 7-22-2003; Ord. No. 2004-1379, 8-10-2004; Ord. No. 2005-1428, 8-2-2005)

Sec. 30-62. - Substitution procedure.

The substitution of the early voting judges shall be in the following manner:

- (1) The presiding early voting judge shall respond with willingness to serve on or before the tenth day before their early voting period begins or no later than 15 days after receipt of notification for the election and their status, whichever is later. They shall respond for each election with enclosure furnished by the elections department, or otherwise in writing.
- (2) If the presiding early voting judge does not respond on a timely basis, the elections department is authorized to appoint an individual to serve as presiding judge who is competent and qualified.
- (3) If the presiding early voting judge is not approved by the contracting entity for their special or general election, the contracting entity shall appoint an individual to serve as presiding judge who is competent and qualified and notify the elections department in writing. If a conflict arises between contracting entities' recommendations, the elections administrator will conduct a drawing from the recommendations to determine the early voting judge.

(Ord. No. 99-1418, 8-3-1999; Ord. No. 2000-1618, 8-14-2000; Ord. No. 2001-2417, 12-18-2001; Ord. No. 2002-1500, 8-20-2002; Ord. No. 2003-1295, 7-22-2003; Ord. No. 2004-1379, 8-10-2004; Ord. No. 2005-1428, 8-2-2005)

Sec. 30-63. - Replacement; removal.

The commissioners court may replace presiding early voting judges up to and including the day before the start of early voting, and may remove presiding early voting judges for cause once early voting has begun.

(Ord. No. 99-1418, 8-3-1999; Ord. No. 2001-2417, 12-18-2001; Ord. No. 2002-1500, 8-20-2002; Ord. No. 2003-1295, 7-22-2003; Ord. No. 2004-1379, 8-10-2004; Ord. No. 2005-1428, 8-2-2005)

Secs. 30-64—30-80. - Reserved.

DIVISION 3. - EARLY VOTING BALLOT BOARD JUDGES

Sec. 30-81. - Appointment.

The commissioners court shall appoint an early voting ballot board judge and an alternate early voting ballot board judge to hold special, primary, and general elections.

(Ord. No. 2001-2417, 12-18-2001; Ord. No. 2002-1500, 8-20-2002; Ord. No. 2004-1379, 8-10-2004; Ord. No. 2005-1428, 8-2-2005)