PARTIAL MANUAL COUNT “PRACTICALLY SPEAKING”

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WHAT IS A PARTIAL MANUAL COUNT?

The partial manual count is a post-election audit of our electronic voting system. It is conducted to “ensure the accuracy of the tabulation of electronic voting system results.”

LEGALLY SPEAKING

Sec. 127.201. PARTIAL COUNT OF ELECTRONIC VOTING SYSTEM BALLOTS BY GENERAL CUSTODIAN. (a) To ensure the accuracy of the tabulation of electronic voting system results, the general custodian of election records shall conduct a manual count of all the races in at least one percent of the election precincts or in three precincts, whichever is greater, in which the electronic voting system was used. The custodian shall select the precincts at random and shall begin the count not later than 72 hours after the polls close. The count shall be completed not later than the 21st day after election day. Subsection (b) supersedes this subsection to the extent of a conflict.

(b) In a general election for state and county officers, primary election, or election on a proposed amendment to the state constitution or other statewide measure submitted by the legislature, the secretary of state shall select, in accordance with rules adopted by the secretary, the precincts to be counted under Subsection (a). The secretary shall designate not more than three offices and not more than three propositions to be counted in the selected precincts. The secretary shall notify the general custodian of election records of the precincts, offices, and propositions selected under this subsection not earlier than the day after election day.

(c) On selection or notification, as applicable, of the precincts to be counted, the general custodian of election records shall post in the custodian's office a notice of the date, hour, and place of the count.

(d) Each candidate in the election is entitled to be present at the count and is entitled to have a representative present. A representative must deliver a certificate of appointment to the general custodian at the time the representative reports for service. The certificate must be in writing and must include:

(1) the printed name and signature of the representative;

(2) the election subject to the count; and

(3) the printed name and signature of the candidate making the appointment.

(e) Not later than the third day after the date the count is completed, the general custodian of election records shall deliver a written report of the results of the count to the secretary of state.

WHO'S INCLUDED?

All counties and local political subdivisions that tabulate their voting system ballots electronically are required to conduct the partial manual count.

WHAT'S INCLUDED?

The partial manual count has to be conducted after every election that uses paper ballots that are counted with an electronic voting system. This includes voter marked paper ballots and paper ballots generated by a ballot marking device.

It includes all ballots that were counted with a precinct or central scanner and reported as part of your unofficial results on election night.

- Early voting in person ballots that were counted with a precinct scanner or central scanner
- Early voting by mail ballots that were counted with a precinct scanner or a central scanner

Ballots cast on a paperless DRE are exempt from the partial manual count.

WHAT TO COUNT?

General Rule:

- The General Custodian of Election Records shall conduct a manual count of all races in at least one percent of the election or three precincts, whichever is greater.

General Election for State and County Officers, Primary Election, or Constitutional Amendment Elections:

- The SOS shall designate not more than three offices and not more than three propositions to be counted in the selected precincts.
- The SOS shall notify the General Custodian of Election Records of the selected races/precincts.

NOTICE REQUIRED

The General Custodian of Election Records must post in the custodian's office a notice of the date, hour, and place of the count.

WHO CAN ATTEND?

Each candidate is entitled to be present at the count and is entitled to have a representative present. The representative must deliver a certificate of appointment when they report for service.

4-30
Prescribed by Secretary of State
Section 127.201(d), Texas Election Code
09/2023

CERTIFICATE OF APPOINTMENT OF A REPRESENTATIVE BY A CANDIDATE FOR A PARTIAL MANUAL COUNT

To the General Custodian of Election Records:

The following person has been appointed as a representative for a Partial Manual Count in accordance with Sec. 127.201(d), Texas Election Code.

Name of Representative	Name of Candidate
Title and Date of Election	

Signature of Candidate

Printed Name of Candidate

Signature of Appointed Representative

Printed Name of Appointed Representative

Signature of General Custodian

Printed Name of General Custodian

TIMELINE

The election official must begin the manual count within seventy-two (72) hours after the polls close.

The count must be completed no later than the 21st day after Election Day. (127.201(b)).

PRACTICALLY SPEAKING