

# Texas Ballot Proofing

## WHAT IS BALLOT PROOFING AND WHY SHOULD WE DO IT?

The process of producing a ballot is complex. County election officials do their best to make sure they have listed every contest and every candidate correctly. But **mistakes happen**. Ballot proofing helps catch mistakes before official ballots are printed. And that's important because mistakes caught after ballots are printed often cannot be fixed. Ballot proofing is therefore one of many tools to ensure that election results accurately reflect voter intent.

So who does this proofing? County officials will proof each ballot before sending it to the printer, but **you have a role to play too**. The more eyes on the near-final version of the ballot, the better. You should feel free to invite staff, voter protection volunteers, and others to participate.

## HOW LONG DOES IT TAKE TO PROOF A BALLOT?

Not long. It will take one person a few minutes per ballot to perform a complete review. Because mistakes are usually noticed by a fresh set of eyes, consider bringing in a second person to review.

## HOW DO WE PARTICIPATE IN THE PROOFING PROCESS?

In Texas, each County Clerk **must** make near-final versions of the ballot (called "specimen ballots" or "ballot proofs") available for public inspection "as soon as practicable after the official ballots have been prepared."<sup>1</sup> These ballots will be made available by September 19 at the latest because final "ballots must be prepared, finalized, and tested" in time to send UOCAVA ballots 45 days before the election.<sup>2</sup>

**Candidates have a role to play in the proofing process.** But **you must complete your proofing quickly**. The Texas Secretary of State urges all counties to provide a copy of the specimen ballots to candidates for review.<sup>3</sup> At minimum, candidates should verify spelling, positions on the ballot, order of the candidate names, and accuracy of translations.

Each county handles the proofing process differently and so you should

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1 [Tex. Elec. Code § 52.007.](#)

2 [Preparing for Your Election, Texas Secretary of State](#) (slide 19).

3 [Preparing for Your Election, Texas Secretary of State](#) (slide 27).

reach out to any target counties now to confirm their process, including the date you should expect to receive a ballot to review.

## WHEN DOES THE PROCESS START?

Specimen ballots must be available from each county **before September 19, 2020** and should be available by **early September**. Some counties will follow the recommendation of the Texas Secretary of State and send you a ballot directly. Others may not notify you when they have made the ballots available for public inspection. Reach out to any relevant counties now to ask them to confirm their process. At the latest, **you should contact counties by early August so you know what to expect.**

## HOW SHOULD WE REPORT ERRORS OR OMISSIONS?

Notify the county immediately (ideally within 24-48 hours) of any errors or omissions. Candidates are encouraged to email suggested changes to the counties and to follow up each email with a phone call.

Ideally, any errors or omissions will be flagged **before** official ballots are printed. However, you should still report any issues you identify after ballots have been printed because Texas law outlines a process for County Clerks to correct ballots after printing.<sup>4</sup> (That provision permits County Clerks to print new ballots, fix errors directly on ballots, or affix stickers with the necessary correction. Any correction must be noticed to the Secretary of State within 24 hours.<sup>5</sup> Incorrect ballots must be destroyed pursuant to statute.<sup>6</sup>)

## OTHER THAN ITEMS ON THE PROOFING CHECKLIST, IS THERE ANYTHING SPECIFIC TO TEXAS THAT WE SHOULD BE LOOKING FOR?

For more information on the specifics of how candidate names and contests are arranged on the ballot in Texas, review [Chapter 52, Subchapter C](#) and [Subchapter D](#).

Candidate names appear in party columns, with the Republican column appearing first and the Democratic column appearing second. (Texas law establishes that the party of the candidate receiving the most votes for Governor in the latest gubernatorial election is to be listed first.<sup>7</sup>) Note: Litigation regarding this ballot order provision is ongoing<sup>8</sup> and the ballot order rules may change prior to the 2020 general election.

The order of the contests is as follows: President, U.S. Senator, U.S. Representative, statewide offices, district-wide offices, and county-wide offices.<sup>9</sup>

## CONNECT WITH US!

Have questions? Need help?  
Please reach out to us at:

[ballotquestions@digidems.com](mailto:ballotquestions@digidems.com)

4 [Tex. Elec. Code § 52.006.](#)

5 [Tex. Elec. Code § 52.0061.](#)

6 [Tex. Elec. Code § 52.0064.](#)

7 [Tex. Elec. Code § 52.0091.](#)

8 *See Miller v. Hughs*, No. 1:19-cv-01071-LY (W.D. Tex.).

9 [Tex. Elec. Code § 52.0092.](#)