

COUNTY of HIDALGO



EDINBURG, TEXAS 78539

HIDALGO COUNTY AUDITOR'S OFFICE
Hidalgo County Administration Building
2808 South Business Highway 281
Edinburg, Texas 78539-6243
PHONE: (956) 318-2511
FAX: (956) 318-2577
WEBSITE: www.co.hidalgo.tx.us/auditor

June 8, 2010

The Honorable Rene A. Ramirez, County Judge
The Honorable Arturo Cuellar, Jr., Commissioner, Precinct No. 1
The Honorable Hector "Tito" Palacios, Commissioner, Precinct No. 2
The Honorable Jose M. Flores, Commissioner, Precinct No. 3
The Honorable Oscar L. Garza, Jr., Commissioner, Precinct No. 4

RE: Certification of Revenue

Dear Judge and Commissioners:

Pursuant to Local Government Code § 111.0706 SPECIAL BUDGET FOR GRANT OR AID MONEY:

The county auditor shall certify to the commissioners court the receipt of all public or private grant or aid money that is available for disbursement in a fiscal year but not included in the budget for that fiscal year. On certification, the court shall adopt a special budget for the limited purpose of spending the grant or aid money for its intended purpose.

I, Ray Eufrazio, County Auditor of Hidalgo County, certify to the Hidalgo County Commissioners Court the receipt of a grant award from the Texas Secretary of State. These funds may now be made available by creating a new special budget or amending a current budget for its intended purposes.

AMOUNT	GRANT
\$320,835.00	HAVA Supplemental Funding

CERTIFIED BY:

Raymundo Eufrazio, CPA
Hidalgo County Auditor

6-8-10

Date

HIDALGO COUNTY DISTRICT JUDGES

yvonne ramon

From: Dan Glotzer [DGlotzer@sos.state.tx.us]
Sent: Wednesday, May 12, 2010 5:54 PM
To: undisclosed-recipients:
Subject: HAVA Supplemental Funding

Follow Up Flag: Follow up
Flag Status: Flagged

Additional HAVA funding has been made available to your county under the existing General HAVA Compliance grant awarded to your county. The updated terms and conditions of the grant award agreement must be agreed to by the authorized official for the county (county judge) when submitting a budget via the online grant system located at <https://hava.tamu.edu/>. The online grant system has also been updated with the new grant award amount. All users have access to view current approved budgets and reimbursements, but only the county judge has access to submit budgets, including grant adjustments. Upon approval by the Secretary of State's Office, the county financial officer (the county auditor or treasurer, depending on the county) has access to request reimbursement against the approved budget. If you don't have a user ID and password, please email hava@sos.state.tx.us.

The highlights of the amended terms and conditions of the grant award agreement are as follows:

- The General HAVA Compliance grant has been expanded to allow for costs previously eligible under the TEAM Compatibility grant.
- Military Overseas Voters Empowerment ("MOVE") Act costs will be eligible under General HAVA Compliance pending an implementation plan from the state. Details will be forthcoming.
- The General HAVA Compliance and County Education Fund grants have been extended through December 31, 2011.

For more information about the additional funding as well as other HAVA grant-related resources, please refer to the HAVA section of the Secretary of State's website at <http://www.sos.state.tx.us/elections/hava/index.shtml>. On the [HAVA Grant Award Terms & Conditions](#) page you'll find the following important documents:

- A memo from Secretary Andrade dated May 11, 2010 that outlines the details of the additional funding.
- The amended terms and conditions of the grant award agreement.
- The supplemental funding awarded to each county.

As a reminder, the following grants have expired and are no longer available: 1) Voting System Accessibility, 2) TEAM Compatibility, 3) Polling Place Accessibility, and 4) Opportunity for Access.

Also be reminded that certain requirements may still apply to grants that have expired. For example, property management requirements remain in effect (e.g., inventory lists for the equipment, including disposition information). Additionally, the EAC may still require the reporting of various data, such as program income. Program income is defined as gross income received from a grant-supported activity during the grant period and includes items such as fees from the use or rental of voting systems acquired with grant funds.

If you need assistance, or if you have questions, please call toll-free at 1.800.252.8683 or email elections@sos.state.tx.us—we are here to help you, to answer questions, and to make the grant process as easy as possible.

- Note - In order to submit a budget for voting equipment, the county will have to select from a list of Texas-certified voting systems. Consequently, counties are advised to submit a budget to the SOS for voting equipment ONLY if the county has determined the voting system it will be purchasing. However, this should not prevent a county from submitting a budget for other HAVA-eligible costs (e.g., travel and training costs eligible under the County Education Fund). In addition, a county may submit a partial budget and reallocate the balance as future needs arise. For example, a county may submit a budget under the County Education Fund for a certain number of training events, submit it to the SOS for approval, and then add additional line items at a later date as new training opportunities arise.
 - Assuming the necessary documents have been submitted (i.e., the original grant award agreement, the required resolution, and the recent amendment), the budget is approved by the Secretary of State's Office. It is important to submit the budget as soon as the county knows what system, including the components, it will be purchasing because the county cannot request reimbursement from SOS until SOS approves the budget (see next step).
 - After SOS approves the budget and the county is invoiced for goods or services received and releases payment to the vendor, the county financial officer (the county auditor or treasurer, depending on the county) has access to request reimbursement against the approved budget. Counties are encouraged to time the payment to the vendor with its reimbursement request to SOS as closely as possible to minimize any cash flow issue.
 - The county has the discretion to define release of payment as the agency obligation or encumbrance of the funds such as a purchase order or other document authorizing payment. Consequently, the county can request funding from SOS when they have "officially" obligated the funds and been billed (invoiced) for goods or services received, but that doesn't necessarily mean that county funds must have been disbursed prior to drawing down the funds from SOS.
5. If you need assistance, or if you have questions, please call Dan Glotzer or Jennifer Holliman toll-free at 1.800.252.8683 or email dglotzer@sos.state.tx.us or jholliman@sos.state.tx.us—we are here to help you, to answer questions, and to make this process as easy as possible.

Other Regulations Not Mandated by the Grant Program But Are Mandated by Statute:

1. Before a newly acquired voting system may be used, the commissioners court must first adopt it for use in county elections by resolution, order, or other official action. Tex. Elec. Code Ann. § 123.001(a) (Vernon 2003).
2. After the court has adopted the new system, it must be submitted for preclearance with the U.S. Department of Justice (DOJ) under Section 5 of the Voting Rights Act. This process entails submitting a copy of the order adopting the new system along with a cover letter that:
 - a) Includes a name, title, mailing address, and telephone number of the person making the submission for any questions DOJ might have;
 - b) States the reason for the change (to comply with the requirements of Section 301(a)(3)(B) of the Help America Vote Act); and,
 - c) Includes a statement that the change will not affect members of any racial or linguistic minority differently from the way the general public is affected and does not have the intent and will not have the effect of diluting the voting strength of any racial or linguistic minority.
3. If you have previously submitted a voting system for preclearance, you should submit a copy of DOJ's preclearance letter or refer to their file number and date of preclearance in your cover letter.


The State of Texas



Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Hope Andrade
Secretary of State

TO: Texas County Judges
CC: County Election Officials
County Financial Officer
FROM: Hope Andrade, Texas Secretary of State 
DATE: May 11, 2010
RE: Help America Vote Act (HAVA) Supplemental Funding

As you are aware by now, funds were made available to your county pursuant to the Help America Vote Act ("HAVA") of 2002. The original State Plan developed in response to HAVA allocated the "Requirements Payments," which was the bulk of the HAVA funding, into two grants: Voting System Accessibility and General HAVA Compliance. I am pleased to announce that effective immediately, we are making approximately \$19 million in additional Requirements Payments available to the counties.

The supplemental funds have been apportioned to the counties based on the original Voting System Accessibility and General HAVA Compliance allotments formulated in the State Plan. For the sake of simplicity, we have placed all supplemental funds under General HAVA Compliance. Please refer to the attached spreadsheet to view your county's supplemental amount.

The terms and conditions of the grant award agreement have been updated, and will require your acknowledgement when submitting a budget via the online grant system located at <https://hava.tamu.edu/>. You should have a user ID and password to access the grant system. If you do not, please email hava@sos.state.tx.us in order to obtain one. You can also view the new terms and conditions at <http://www.sos.state.tx.us/elections/hava/index.shtml>. While most of the changes are "housekeeping" in nature, the following are more substantive:

- The General HAVA Compliance fund has been expanded to allow for costs previously eligible under the TEAM Compatibility Fund. Additionally, Military Overseas Voters Empowerment ("MOVE") Act costs will be eligible pending further guidance from the U.S. Election Assistance Commission ("EAC"). Once our office has the EAC's consent to expend HAVA funds on MOVE, we will notify the counties.
- The General HAVA Compliance and County Education Fund grants have been extended through December 31, 2011.

The following grants have been closed out and are no longer available:

- Voting System Accessibility
- TEAM Compatibility Fund
- Polling Place Accessibility
- Opportunity for Access

As a reminder, certain requirements may still apply to grants that are closed out. For example, property management requirements remain in effect (e.g., inventory lists for the equipment, including disposition information). Additionally, the EAC may still require the reporting of various data, such as program income. Program income is defined as gross income received from a grant-supported activity during the grant period and includes items such as fees from the use or rental of voting systems acquired with grant funds.

If you need assistance, or if you have questions, please call toll-free at (800) 252-8683 or e-mail elections@sos.state.tx.us. Agency staff are here to assist you and answer questions you may have. It is our goal to make this transition as easy as possible.

	2005	2010		
	Accessibility	Gen compliance	Gen compliance	Compliance Total
Fannin	\$60,000	\$215,818	\$38,059	\$253,877
Fayette	\$84,000	\$234,978	\$44,015	\$278,993
Fisher	\$33,000	\$81,085	\$15,742	\$96,827
Floyd	\$36,000	\$93,345	\$17,848	\$111,193
Foard	\$15,000	\$45,045	\$8,285	\$53,330
Fort Bend	\$312,000	\$1,585,770	\$261,866	\$1,847,636
Franklin	\$30,000	\$88,618	\$16,368	\$104,986
Freestone	\$48,000	\$150,526	\$27,394	\$177,920
Frio	\$33,000	\$112,305	\$20,050	\$132,355
Gaines	\$27,000	\$91,558	\$16,359	\$107,917
Galveston	\$231,000	\$1,193,507	\$196,562	\$1,390,069
Garza	\$30,000	\$75,078	\$14,499	\$89,577
Gillespie	\$48,000	\$161,222	\$28,870	\$190,092
Glasscock	\$15,000	\$45,045	\$8,285	\$53,330
Goliad	\$33,000	\$86,553	\$16,497	\$103,050
Gonzales	\$48,000	\$149,633	\$27,271	\$176,904
Gray	\$45,000	\$159,025	\$28,153	\$187,178
Grayson	\$162,000	\$653,866	\$112,578	\$766,444
Gregg	\$69,000	\$463,542	\$73,483	\$537,025
Grimes	\$63,000	\$196,792	\$35,848	\$232,640
Guadalupe	\$249,000	\$752,575	\$138,203	\$890,778
Hale	\$57,000	\$215,954	\$37,664	\$253,618
Hall	\$24,000	\$63,065	\$12,014	\$75,079
Hamilton	\$45,000	\$115,106	\$22,092	\$137,198
Hansford	\$27,000	\$69,195	\$13,274	\$82,469
Hardeman	\$18,000	\$51,051	\$9,528	\$60,579
Hardin	\$54,000	\$246,571	\$41,475	\$288,046
Harris	\$2,805,000	\$15,251,818	\$2,491,589	\$17,743,407
Harrison	\$87,000	\$355,421	\$61,048	\$416,469
Hartley	\$21,000	\$59,535	\$11,113	\$70,648
Haskell	\$33,000	\$84,603	\$16,228	\$100,831
Hays	\$105,000	\$504,096	\$84,047	\$588,143
Hemphill	\$27,000	\$69,071	\$13,256	\$82,327
Henderson	\$93,000	\$407,257	\$69,028	\$476,285
Hidalgo	\$285,000	\$2,040,129	\$320,835	\$2,360,964
Hill	\$84,000	\$263,748	\$47,984	\$311,732
Hockley	\$48,000	\$160,309	\$28,744	\$189,053
Hood	\$48,000	\$221,364	\$37,168	\$258,532

Sorted by Last Updated	HAVA Status Report							Start Date: 1/1/2004	End Date: 5/26/2010
County	Purpose Area	Award Amount	Budget Amount	Amount Reimbursed	Amount Available	Grant Status	Approval Status	Last Updated	
Hidalgo	Voting System Accessibility	\$285,000.00	\$285,000.00	\$285,000.00	\$0.00	Expired	Data Transferred	2/25/2010 11:32:52 AM	
Hidalgo	Voting System Replacement	\$303,260.90	\$303,260.90	\$303,260.90	\$0.00	Expired	Data Transferred	2/25/2010 11:31:43 AM	
Hidalgo	County Education Fund	\$9,000.00	\$8,975.09	\$8,975.09	\$24.91	Active	Data Transferred	12/18/2009 6:00:11 AM	
Hidalgo	Polling Place Accessibility	\$8,500.00	\$8,500.00	\$8,500.00	\$0.00	Expired	Data Transferred	12/18/2009 6:00:11 AM	
Hidalgo	Opportunity for Access	\$3,000.00	\$1,786.48	\$1,688.48	\$98.00	Expired	PM Approved	12/1/2009 11:53:22 AM	
Hidalgo	General HAVA Compliance	\$2,360,964.17	\$2,040,129.17	\$2,040,129.17	\$320,835.00	Active	Data Transferred	8/20/2009 6:00:04 AM	
Hidalgo	TEAM Compatibility	\$15,000.00	\$15,000.00	\$15,000.00	\$0.00	Expired	Data Transferred	8/16/2007 6:00:03 AM	
1 Counties	7 Grants	\$2,984,725.07	\$2,662,651.64	\$2,662,553.64	\$320,957.91				

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The State of Texas



Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
TTY: 7-1-1
(800) 252-VOTE (8683)

The Office of
The Secretary of State

HELP AMERICA VOTE ACT GRANT AWARD AGREEMENT **AS AMENDED 5/7/2010**

Note: County-specific information (i.e., name and award amounts) have been omitted from the following version of the terms and conditions set forth in the grant award agreements between Texas Counties and the Office of the Secretary of State pursuant to Title 1, Section 101 (CFDA No. 39.011) and Title II, Section 251 (CFDA No. 90.401) of the Help America Vote Act (HAVA), Public Law 107-252, October 29, 2002; 42 U.S.C. 15301. This document is for reference purposes and should not be signed.

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Part A – General

SECTION 1. AUTHORITY

- 1.1. This agreement is made by COUNTY (“COUNTY”) to the STATE OF TEXAS, OFFICE OF THE SECRETARY OF STATE (“SOS”) and is authorized pursuant to Title 1, Section 101 (CFDA No. 39.011) and Title II, Section 251 (CFDA No. 90.401) of the Help America Vote Act (HAVA), Public Law 107-252, October 29, 2002; 42 U.S.C. 15301. This agreement encompasses the original grant award agreement issued on September 14, 2004 (“ORIGINAL AWARD AGREEMENT”) and all subsequent grant award agreement amendments.

SECTION 2. SOURCE

- 2.1. The funding identified in this agreement is federal funding from (federal) fiscal year 2003, 2004, 2008, and 2009 appropriated funds with applicable state match coming from 2004/2005, 2006/2007, 2008/2009, and 2010/2011 (state) fiscal year appropriated funds:
 - 2.1.1. Title I, Section 101 – 100% federal (see Section 6.1 of this agreement for purpose area).
 - 2.1.2. Title II, Section 251 – 95% federal / 5% state (see Section 6.2 of this agreement for purpose areas).

SECTION 3. APPLICABILITY

- 3.1. The terms and conditions set forth in this agreement apply to and must be adhered to by the COUNTY referenced in Section 1 of this agreement.

SECTION 4. ADOPTIONS BY REFERENCE

- 4.1. Although the SOS has attempted to highlight the most relevant rules and guidelines through this agreement, the COUNTY must abide by the applicable Office of Management and Budget (OMB) Circulars and the Uniform Grant Management Standards (UGMS) adopted pursuant to the Uniform Grant and Contract Management Act of 1981, Chapter 783, Texas Government Code (see Texas Administrative Code Title 1, Part 1, Chapter 5, Subchapter A, Division 4, §§5.141 - 5.167).
- 4.2. UGMS incorporates the relevant OMB Circulars as outlined below:
 - 4.2.1. Cost Principles for State and Local Governments and Other Affected Entities (Chapter II of UGMS, which incorporates OMB Circular A-87).
 - 4.2.2. State Uniform Administrative Requirements for Grants and Cooperative Agreements (Chapter III of UGMS, which incorporates OMB Circular A-102 and “Common Rule”, Administrative Requirements, 53 FR 8087, March 11, 1988).
 - 4.2.3. State of Texas Single Audit Circular (Chapter IV of UGMS, which incorporates OMB Circular A-133).
- 4.3. The OMB Circulars can be found at <http://www.whitehouse.gov/omb/circulars/> and UGMS can be accessed through the Governor’s Office website at <http://www.governor.state.tx.us/>.

SECTION 5. GRANT OFFICIALS

- 5.1. Authorized Official – The COUNTY judge must serve as the authorized official for the COUNTY and must be designated as such in the resolution (see Section 13.1.4 of this agreement). The authorized official has signing authority on behalf of the COUNTY and is responsible for ensuring the necessary forms are submitted through the Texas HAVA online grant system (see Section 14 of this agreement).
- 5.2. Election Official(s) – The COUNTY election official(s) include the executive officer(s) of the office(s) responsible for conducting elections and maintaining the voter registration list in the COUNTY (e.g., the elections administrator or the county clerk and/or voter registrar). The

election official(s) of the COUNTY must be consulted and concur with all expenditures pursuant to this agreement (see Section 13.1.1 of this agreement).

- 5.3. Financial Officer – The COUNTY auditor or treasurer must serve as the financial officer for the county. The financial officer is responsible for establishing and maintaining financial records to accurately account for funds awarded to the COUNTY. These records shall include both federal funds and all matching funds of state and local organizations, when applicable. The financial officer is also responsible for requesting payments through the Texas HAVA online grant system (see Section 17 of this agreement).

SECTION 6. FUNDING PURPOSE AREAS

6.1. County Education Fund

- 6.1.1. These funds are to be used for reimbursement of costs incurred as a result of attending professional election training such as conferences and seminars.
- 6.1.2. Expenditures under this fund may be incurred by the offices(s) of the COUNTY election official(s) as defined in Section 5 of this agreement. If the election duties are split between more than one office (e.g., the county clerk and voter registrar), funding must be made available and expended in consultation and agreement between the offices.

6.2. General HAVA Compliance

- 6.2.1. Upgrading voting systems to comply with new federal standards.
 - a) Funds may be used for reimbursement of costs incurred as a result of purchasing equipment or software consistent with Section 9 of this agreement.
 - b) Funds may be used for reimbursement of costs for maintenance and storage of voting equipment purchased pursuant to this agreement.
- 6.2.2. Acquiring an accessible voting system in each polling place.
 - a) These funds are to be used for reimbursement of costs incurred as a result of acquiring a HAVA-compliant accessible voting system in each polling location.
 - b) This requirement may be met by having at least one accessible direct recording electronic voting system (“DRE”) or other system equipped for individuals with disabilities at each polling place.
- 6.2.3. Voter education – Funds may be used for reimbursement of costs incurred as a result of educating voters on the following:
 - a) How to verify/review selections before casting the vote.
 - b) How to change or correct any error on the ballot before casting the vote.
 - c) How to avoid over-voting.
 - d) How individuals with disabilities, including non-visual accessibility for the blind and visually impaired, can access the voting system in a manner that provides the same opportunity for privacy and independence as other voters.
 - e) How the county’s voting system provides alternative language accessibility pursuant to the requirements of Section 203 of the Voting Rights Act of 1965.
 - f) What constitutes the uniform definition of the voting system(s) in use in the county.
 - g) How to vote a provisional ballot, including written information on how the voter can ascertain whether his or her vote was counted, and if not counted, the reason given.
- 6.2.4. Voter education – Funds may be used for reimbursement of costs incurred as a result of producing the following information to be posted at each polling place on the day of an election:
 - a) A sample version of the ballot that will be used for that election.

- b) Information regarding the date of the election and the hours during which polling places will be open.
- c) Instructions on how to vote, including how to cast a vote and how to cast a provisional ballot.
- d) Instructions for mail-in registrants and first-time voters under Section 303(b) of HAVA.
- e) General information on voting rights under applicable Federal and State laws, including information on the right of an individual to cast a provisional ballot and instructions on how to contact the appropriate officials if these rights are alleged to have been violated.
- f) General information on federal and state laws regarding prohibitions on acts of fraud and misrepresentation.

6.2.5. Election worker education – Funds may be used for reimbursement of costs incurred as a result of educating election workers on the following:

- a) How a voter verifies/reviews selections before casting the vote.
- b) How a voter changes or corrects any error on the ballot before casting the vote.
- c) How a voter avoids over-voting.
- d) How individuals with disabilities, including non-visual accessibility for the blind and visually impaired, can access the voting system in a manner that provides the same opportunity for privacy and independence as other voters.
- e) How the county’s voting system provides alternative language accessibility pursuant to the requirements of Section 203 of the Voting Rights Act of 1965.
- f) What constitutes the uniform definition of the voting system(s) in use in the county.
- g) Provisional voting procedures.

6.2.6. TEAM Compatibility – Funding may be used to acquire equipment, software, supplies, and contractual services, such as Internet service provider fees, to integrate with the official list of registered voters maintained by the Secretary of State, known as the Texas Election Management System (“TEAM”). The following are the basic technical specifications:

- a) Broadband connection to the Internet.
- b) Baseline PC configuration for TEAM is:
 - PC - 512MB RAM, 40GB disk
 - Medium resolution monitor
 - Acrobat Reader 6.0 or better
 - Microsoft Internet Explorer 6.x web browser
 - Windows 2000, Windows XP Professional or more recent operating system
- c) Laser printers are recommended; however, all files will be output in a PDF format so the COUNTY can configure the setup. Printer recommendation is:
 - Low-volume printer (A larger COUNTY might want to obtain a high-volume printer).
 - Printers must be able to handle 8.5X11 or 8.5X14 paper size.
- d) Certificates, notices and several reports will have the option to print a bar code for easier retrieval of the voter information in TEAM. The following is the bar code reader specification:
 - Bar code readers must be able to process the bar code font of: IDAutomationC39XS (72, 48, 36, 28, 26, 24, 22, 20, 18, 16, 14, 12, 11, 10, 9 and 8 pt available).

- 6.2.7. The COUNTY may use the funding to attend TEAM Training specific to voter registration or election management functionality; however, the COUNTY is encouraged to first utilize the HAVA County Education Fund that has already been awarded to the COUNTY through a separate award agreement. Expenditures under this fund may be incurred by the offices(s) of the COUNTY election official(s) as defined in Section 5 of this agreement.
- 6.2.8. Effective November 2, 2010 the Military Overseas Voters Empowerment (MOVE) Act Compliance requires changes to the way military an overseas voters may register and vote in federal elections in an effort facilitate the entire process for this population of voters who face unusual obstacles in voting. The COUNTY may use the funding for activities consistent with the requirements set forth in the MOVE Act pursuant to adoption of State Administrative Rules and compliance with any applicable requirements imposed by the US Election Assistance Commission ("EAC").

SECTION 7. ELIGIBLE FUNDING BY PURPOSE AREA

- 7.1. Each allotment of funding outlined below will have its own budget and grant period and must be accounted for separately in the Texas HAVA online grant system, as well as the COUNTY accounting records:
 - 7.1.1. County Education Fund – Refer to Texas HAVA online grant system for amount.
 - 7.1.2. General HAVA Compliance – Refer to Texas HAVA online grant system for amount.

SECTION 8. VOTING SYSTEM DEADLINE

- 8.1. Effective January 1, 2006, precincts within the requesting county cannot use a punch card or lever voting system for an election.
- 8.2. Effective January 1, 2006, each polling place within the requesting county must have a voting system that will be accessible for individuals with disabilities, including non-visual accessibility for the blind and visually impaired, in a manner that provides the same opportunity for privacy and independence as other voters.

SECTION 9. VOTING MACHINE STANDARDS

- 9.1. The COUNTY ensures all voting systems comply with the following:
 - 9.1.1. Permit voter to verify/review selections before casting the vote.
 - 9.1.2. Allow voter to change or correct any error on the ballot before casting the vote.
 - 9.1.3. Prevent or alert voter if he/she over-votes on the ballot.
 - 9.1.4. Produce a permanent paper record with a manual audit capacity.
 - 9.1.5. Be accessible for individuals with disabilities, including non-visual accessibility for the blind and visually impaired, in a manner that provides the same opportunity for privacy and independence as other voters. (This requirement may be met by having at least one DRE or other system equipped for individuals with disabilities at each polling site.)
 - 9.1.6. Provide alternative language accessibility pursuant to the requirements of Section 203 of the Voting Rights Act of 1965.
 - 9.1.7. Ensure error rates (machine errors only) do not exceed the Federal Election Commission or Election Assistance Commission standards.
 - 9.1.8. Maintain consistency with the uniform definition of what constitutes a vote for each voting system in use in the state.
 - 9.1.9. Title 8 of the Texas Election Code.

SECTION 10. PAPER AND CENTRAL COUNT VOTING SYSTEMS

- 10.1. A COUNTY that uses a paper ballot voting system or a central count voting system (including mail-in absentee ballots and mail-in ballots), may meet the requirements in Section 9 of this agreement by--
 - 10.1.1. Establishing a voter education program specific to that voting system that notifies each voter of the effect of casting multiple votes for an office; and
 - 10.1.2. Providing the voter with instructions on how to correct the ballot before it is cast and counted (including instructions on how to correct the error through the issuance of a replacement ballot if the voter was otherwise unable to change the ballot or correct any error).
- 10.2. This Section does not in any manner eliminate the requirement of Section 8.2 of this agreement, which requires that each polling place must have at least one accessible voting system effective January 1, 2006.
- 10.3. The voting system shall ensure that any notification required under this Section preserves the privacy of the voter and the confidentiality of the ballot.

SECTION 11. STATE VOTING SYSTEM CERTIFICATION

- 11.1. As a condition of funding and pursuant to Section 123.035 of the Election Code, any contract for the acquisition of voting system equipment executed on or after September 1, 2003 must be in writing and be approved by the SOS as to compliance of the voting system and voting system equipment with the applicable requirements.
 - 11.1.1. A copy of the relevant portions of the contract containing only the identifying information that the SOS needs to determine whether the version of the system and equipment being acquired under the contract complies with the applicable requirements must be submitted to the SOS.
- 11.2. Pursuant to Section 11.1 of this agreement, the COUNTY may not request reimbursement unless it has received a letter from the state confirming that the voting system and voting system equipment being acquired under the contract satisfies the applicable requirements for approval.
- 11.3. If the COUNTY utilizes a term contract through the Texas Building and Procurement Commission, the requirements described in Section 11.1 may be satisfied by submitting a copy of the purchase order via fax or mail to the Secretary of State's Office:

Voting System Contract Verification
Elections Division
Texas Secretary of State
P.O. Box 12060
Austin, Texas 78711-2060
512-475-2811 (fax)

Part B – Pre-Award Requirements

SECTION 12. GRANT AWARD PROCESS

- 12.1. The grant award will be comprised of the following:
 - 12.1.1. ORIGINAL AWARD AGREEMENT signed by the county judge and the secretary of state, which is on file with the Secretary of State.
 - 12.1.2. The resolution described in Section 13 of this agreement, which is on file with the Secretary of State.
 - 12.1.3. Satisfactory completion of the forms described in Section 14 of this agreement.

12.1.4. AMENDMENT 1 signed by the county judge and the secretary of state, which is on file with the Secretary of State.

12.1.5. Any electronic transactions executed through the Texas HAVA Online Grant System, including grant adjustments, grant amendments, and supplemental awards.

SECTION 13. RESOLUTION FROM THE GOVERNING BODY

13.1. The resolution from the COUNTY's governing body on file with the Secretary of State includes, at a minimum, the following:

13.1.1. _____ Commissioners Court has agreed that the expenditure of the funds in accordance with any agreement between _____ County and the State of Texas.