

# Texas Elections Part I



In a society governed passively by free markets and free elections,  
organized greed always defeats disorganized democracy.

Matt Taibbi



# Elections

- ...a formal decision-making process by which a population chooses an individual to hold public office
- the usual mechanism by which modern representative democracy has operated since the 17th century
- may fill offices in the legislature, the executive and judiciary, and for regional and local governments
- most basic element: the people voting for elected representatives
  - **ideal**: candidates debate policy, voters decide based on that debate
  - **undesirable**: candidates debate trivia, pay attention to special interests



Election Day at Balmorhea, 1938



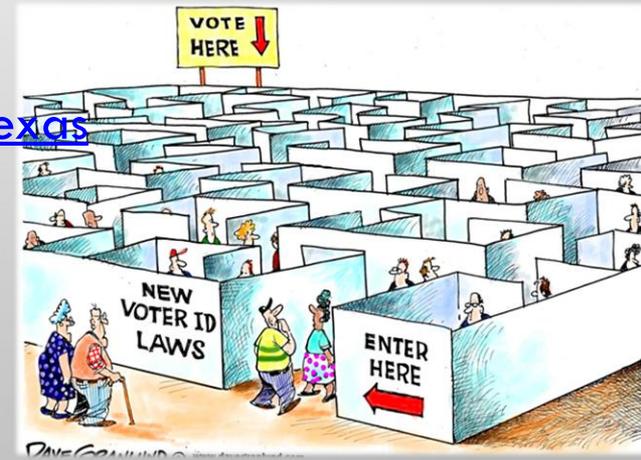






# Participation in Texas Elections

- The **residency requirement** in Texas is thirty days, the maximum allowed by national law.
- The state's low voter turnout is partly due to the low levels of educational attainment, low incomes and legal barriers to voting.
- Attempts to increase voter turnout have focused on voter education, allowing early voting and the mobilization of groups of voters.
- Getting a photo ID so you can vote is easy ... unless you're poor, black, Latino or elderly.
- No Sign of Trump's "Millions" of Illegal Voters in Texas





# Residency Requirements

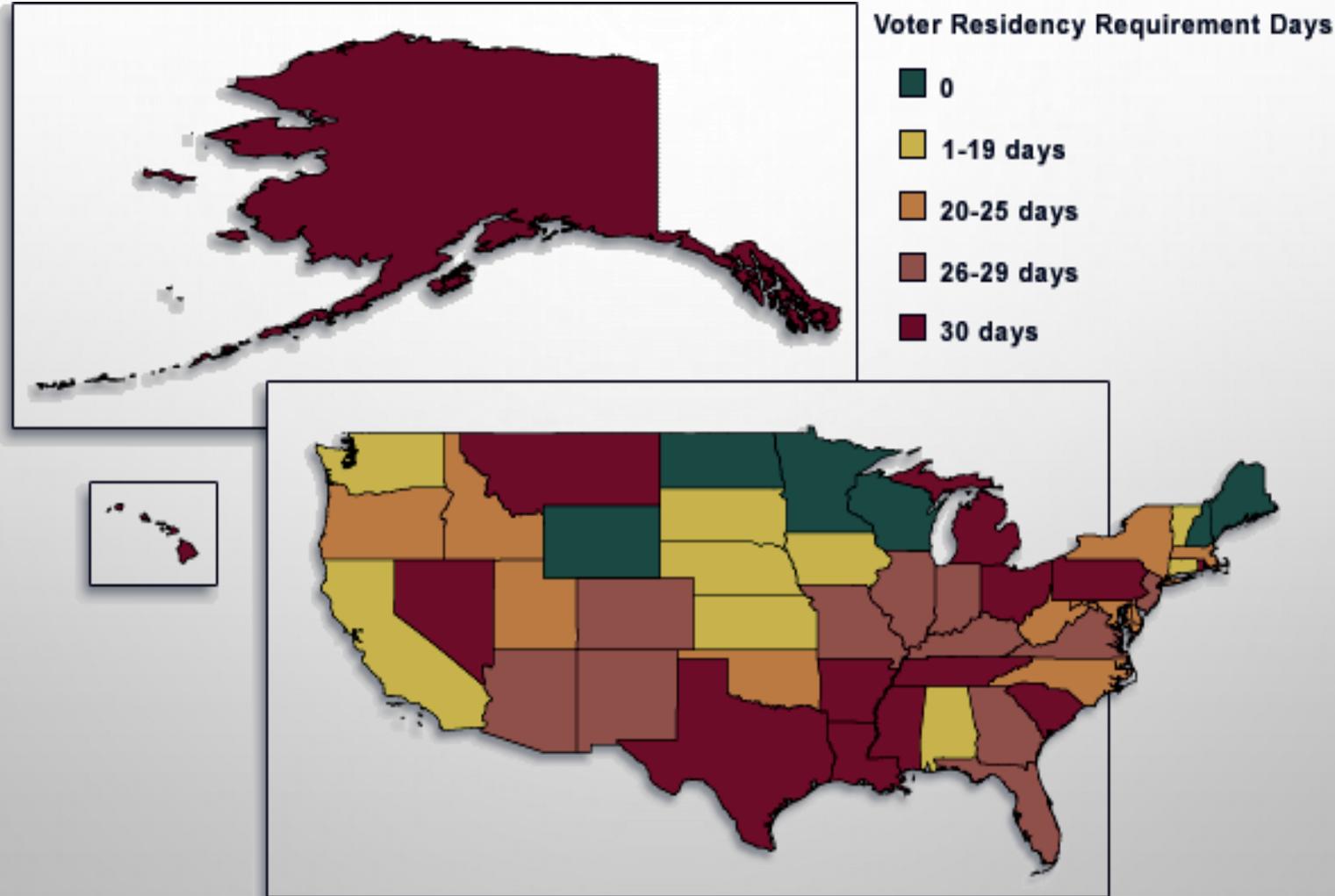
Mobile people vote less when faced with restrictive registration and residency requirements. All states today require that a voter be 18 years old by election day, a US citizen and a legal resident of the state. Most states also restrict voting for currently incarcerated felons and those legally declared mentally incompetent.

Historically, many states imposed lengthy residency requirements at the state, county and local levels, some as long as two years. Until 1970, Texas required one year residence in the state. States justified lengthy residency requirements with arguments of fraud prevention and a promise of more knowledgeable voters, but often used them simply to disenfranchise.

The 1970 Voting Rights Act set **thirty days as the maximum permissible residency requirement** in presidential elections and a 1972 US Supreme Court decision (*Dunn v. Blumstein*, 405 US 330) applied the 30 day maximum to state and local elections. Since then most states have reduced or eliminated their residency requirements. Absent any evidence of increased voter fraud, a few states have set aside any residency requirements with election day registration.



# Residency Requirements

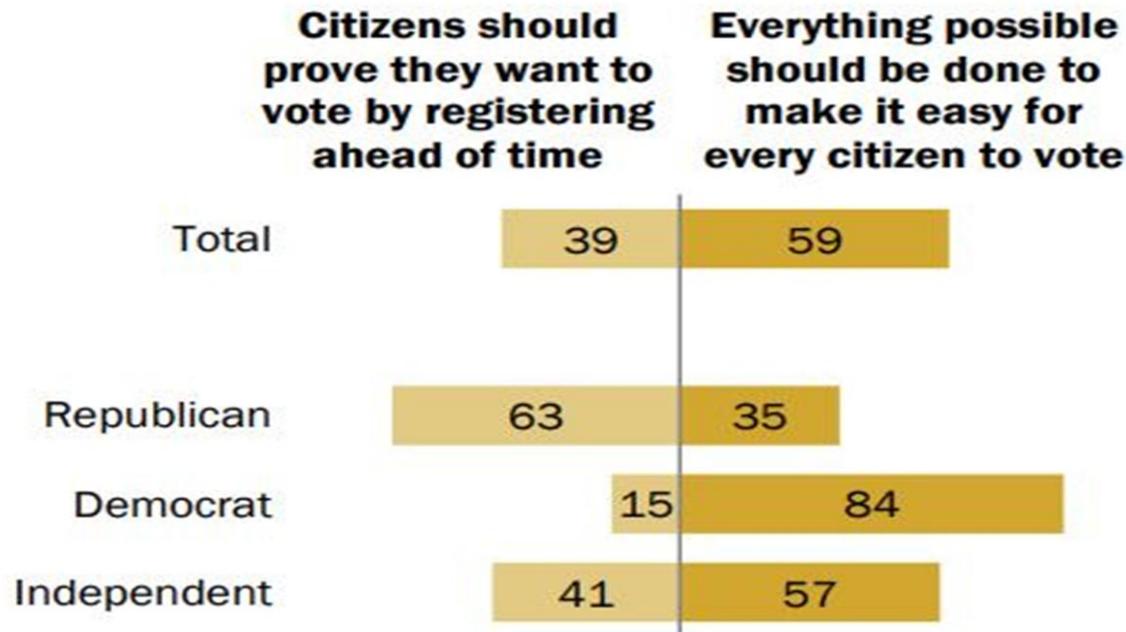




# Participation in Texas Elections

## Most say 'everything possible' should be done to make it easy for citizens to vote

*% who say ...*



Note: Don't know responses not shown.

Source: Survey conducted April 19-23, 2017.

PEW RESEARCH CENTER

*It is high time we asked:  
How many times must  
the state's election laws  
be ruled intentionally  
discriminatory before  
Texas stops this wasteful  
crusade?*

Janai Nelson, NAACP Legal  
Defense and Educational Fund



# Types of Elections



- primary elections
- runoff elections
- general elections
- presidential elections
- local elections
- special elections
- non-candidate elections

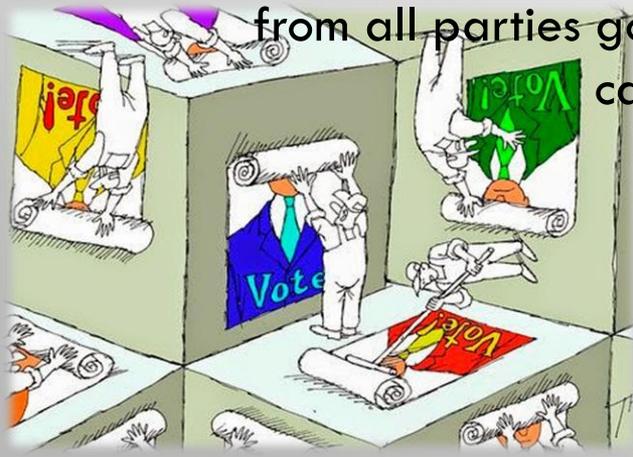


# Primary Elections

Regular elections are a two stage process. Stage one involves primary elections, where an entire field of candidates from one party is narrowed down to one.

Yet even this stage can have two parts. If the winner of the primary election does not win by a **simple majority** (50% + 1), then he/she must participate in a runoff election with the candidate getting the second most votes.

Once the candidate for the party is decided, then the winning candidates from all parties go head to head in the general election, where the candidate with the most votes wins.





# Texas Primary Elections

- A primary election is an intra-party election at which a party's candidates for the general election are chosen.
- Primary election participation has changed as the fortunes of the state's two major political parties have changed.
- From the 1870s until the mid-1900s, most Texans voted in the Democratic primary. Texas Republicans didn't start holding regular party primaries until the 1960s.
- **1926 was the high-water mark for participation in a party primary ... a little more than 1 in 7 Texans voted in a party primary. In 2014, 1 in 48 Democrats and 1 in 20 Republicans voted in the primaries.**
- [A look back at Texas primary turnout since 1926](#)





# Texas Primary Elections

- There are two basic kinds of primary elections.
  - **closed primary elections:** used by most states, require voters to publicly state their affiliation, limits primary election participation to registered party members
  - **open primary elections:** allow a person to participate in any party's primary without disclosing party affiliation

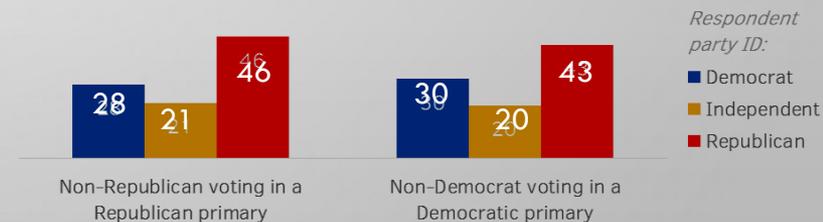


# Texas Primary Elections

- The Texas primary is a cross between an open primary and a closed primary.
- Texas has a closed primary legally but functions as an open primary.
- On primary election day voters must publicly choose the party in whose primary they wish to participate.
- A voter is morally but not legally bound to vote in his/her own party's primary.
- **crossover voting**: voting in the other party's primary in order to have an impact (usually negative) on that party's candidate(s)

## Crossover voting

Percentage who say the following 'should not be allowed'...



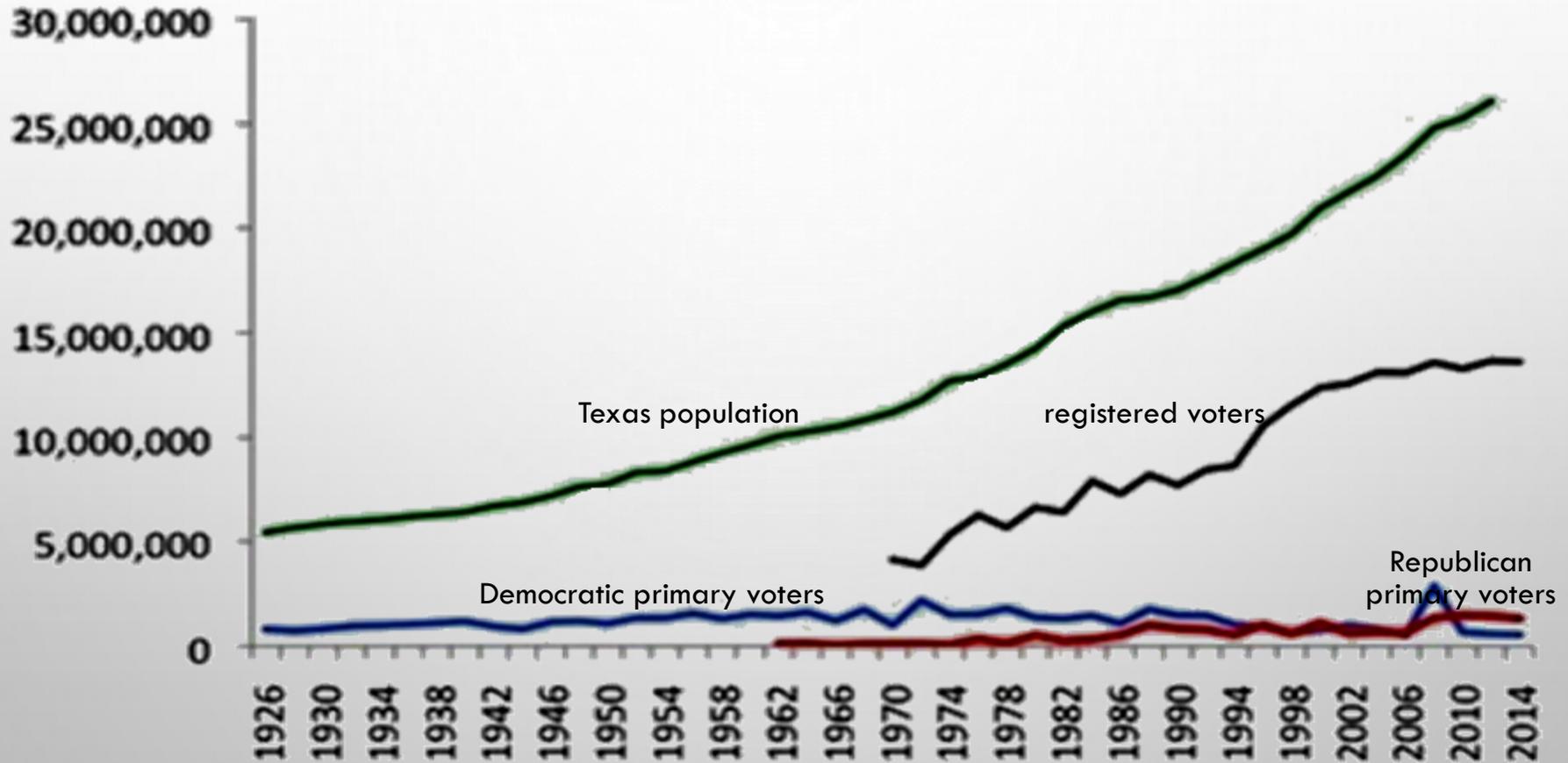


# Texas Primary Election Regulations

- In Texas, primary elections take place on the first Tuesday in March of even-numbered years.
- A person is forbidden to vote in more than one primary in the same election.
- Once a person votes in a party's primary, that person cannot switch to participate in another party's runoff election or conventions during the same election.
- In order to win a party's primary election, a candidate must receive 50%+ of votes cast.



# Texas Primary Turnout, 1926-2014



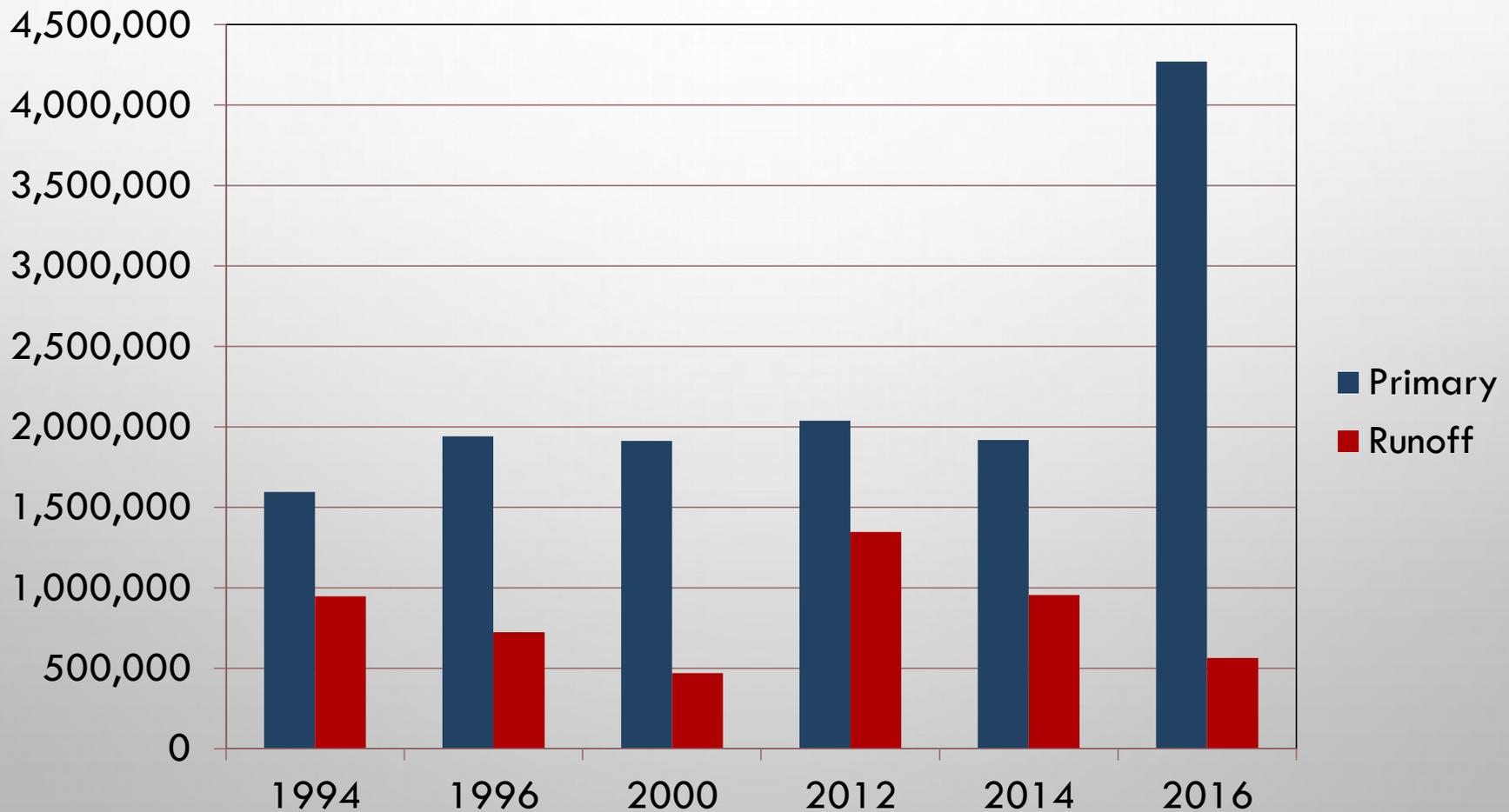


# Texas Runoff Elections

- To win a primary election in Texas, a candidate must receive a majority (50%+) of the votes cast.
- A runoff election is an election held between the two top vote getters in a primary election when no candidate received a majority of the vote in the initial primary.
- Runoff elections are normally held one month to six weeks after the primary, although in 2016, runoff elections were held 12 weeks after the primary.
- On the average, voter turnout in a runoff primary election is only about half the turnout in the initial primary.



# Texas Primary and Runoff Turnout, 1994-2016





# Texas General Elections

- ...statewide election to fill national, state and county offices
- held on the first Tuesday after the first Monday in November of even-numbered years
- won by the candidate with the most votes (**plurality**) for each office (no runoff election)
- State law allows both split-ticket voting and straight-ticket voting. (The state legislature is currently considering prohibiting straight-ticket voting.)
  - **split-ticket voting**: voters cast ballots for candidates of two or more political parties for different offices during the same election
  - **straight-ticket voting**: voters cast ballots for the candidates of only one party
    - In Texas, **nearly two-thirds of voters cast a straight-ticket vote**. The straight-ticket vote was almost evenly divided between Republicans and Democrats in 2016, reflecting the partisan divide in Texas.



# Texas General Elections

- State elections are, on average, less competitive than national races, though this is less true for statewide races - such as for governor - than for races that occur in smaller districts, such as state legislature seats.
- State races vary dramatically in expense, competition, and media and public attention.
  - much less competitive than national elections
  - becoming increasingly professionalized over time
- Texas ranks 51st in voter turnout in general elections.







# Texas Presidential Delegate Selection Process

- procedure every 4 years for selecting delegates to attend the national conventions and choose presidential candidates of the two major parties



A Texas delegate on the arena floor during the 2nd day of the 2016 Republican National Convention

- **presidential preference primary election:** party voters cast ballots for the presidential candidate they favor and in so doing help determine the number of convention delegates that candidate will receive, held in most states although details may vary from state to state and party to party
- **caucus method of delegate selection:** procedure for choosing national party convention delegates that involves party voters participating in a series of precinct, county, district and/or state political conventions/meetings, the original way in which political parties chose candidates, 10 states use this method



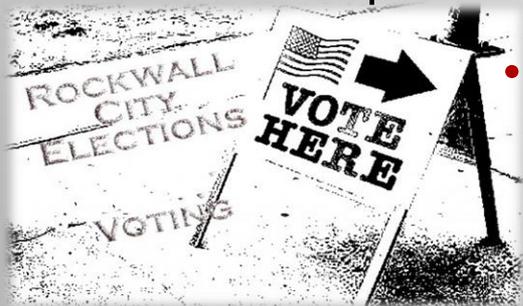
# Texas Presidential Delegate Selection Process

- selection of national convention delegates in Texas
  - The **Texas Republican Party** selects national convention delegates through a presidential preference primary election.
  - The **Texas Democratic Party** selects national convention delegates through a system that combines the presidential preference primary election and the caucus method.
- The Texas legislature has periodically tinkered with the timing of the primary in hopes of increasing the state's influence in the presidential selection process. The results have met with little success.
  - **Super Tuesday primaries:** Tuesday early in presidential primary season when the greatest number of states hold primary elections and caucuses so that more delegates can be won than on any other single day of the primary calendar



# Texas Local Elections

- Local elections for municipal, school district and special district officials are held on the first Saturday in May.
- Most local election contests are **nonpartisan elections**: elections in which the names of the candidates appear on the ballot but not party affiliations. (County officials are elected in the same partisan elections as state officials.)
- Non-partisan ballots are used in over 75% of city council and mayoral elections, and reflect the desire to place more importance on candidates interested in the practical realities of local politics rather than partisan interests.
- In many cases, because candidates aren't affiliated with parties, voters will vote for more familiar candidates (**incumbents**), making elections less competitive.





# Texas Local Elections

- Local elections also differ from national elections in the type of constituencies that elected officeholders represent.
- In many cases, members are elected **at-large**, meaning that voters do not vote according to their district.
- In other cases, voters vote both for a representative for their district as well as for a pool of at-large representatives.
- Because local elections are held at a different time than national and state elections, they are less affected by the politics that surround those elections. However, they still are affected by current events - in some cases, more directly than national or state elections.







# Texas Election Ballots

- Primary winners are automatically on the general election ballot.
- Independent candidates and new parties must present petitions with signatures of qualified voters in order to be placed on the ballot.
- **ballot style**: determined by counties, [some examples](#)
- Texas uses the **long ballot**: ballot that lists all candidates, for all positions, from all political parties, available to a specific voting district
  - Texas provides for the election of nearly every public official.
  - The ballot is especially long in the state's urban counties.
    - In 2016, Harris county voters faced a ballot with 142 offices listed.
  - The long ballot is controversial ... it is defended as well as criticized.
  - [Do Long Ballots Offer Too Much Democracy?](#)





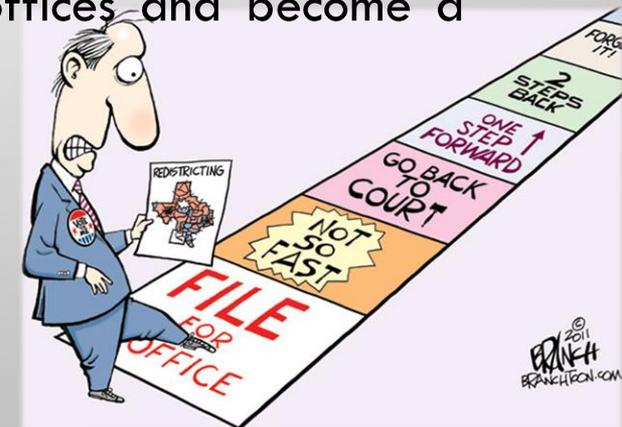
# Political Campaigns in Texas

- A political campaign is an attempt to get information to voters that will persuade them to elect a candidate or not elect an opponent.
- Political campaigns vary in size and intensity.
- requirements of a successful political campaign
  - professional campaign organization
  - money
  - candidate name recognition
  - favorable impression of the candidate
  - unfavorable impression of candidate's opponents
  - supporter voter turnout



# Political Campaigns in Texas

- 60% of candidates that campaign on the state and local levels do not hire professional political consultants. They have smaller budgets and rely on door-to-door campaigning by family and friends rather than professional campaigners, and lawn signs rather than media attention and television ads.
- State and local elections also differ from national elections with regard to the issues discussed by the candidates. Issues like foreign policy are less relevant to state and local officeholders, while issues like education and crime are more directly affected by these offices and become a more prominent part of the campaign.
- Different rules also affect how candidates strategize, and whether they must appeal to a very specific population or if they must campaign locality-wide.





# Political Campaigns in Texas

- In comparison to national elections, activists in state and local elections can often influence the outcome without attracting much attention or competition and, with fewer resources, can gain greater influence over state and local races than would be possible in more visible national races.
- In off-cycle elections, interest groups do not have to compete with the larger issues and the larger numbers of voters that typify on-cycle elections. Low voter turnout in these elections empowers interest groups - who can mobilize comparatively larger numbers of their membership to go to the polls - to be able to seek policy objectives that otherwise would be out of reach. This occurs in primary elections as well as general elections, as primaries are much more competitive than the general election in many localities.
- Texas has allowed early voting for a number of years and by 2016, nearly 75% of Texas voters had voted before election day, decreasing lines at many polling locations on election day and requiring campaigns to change the way they schedule their activities.



# The Costs of Campaigns in Texas

- In 2014, the total cost of the campaigns for governor, other statewide executive offices and the legislature was over \$318 million.
- Candidates running for the Texas House of Representatives typically raised \$200,000 in 2014. That amount has been declining due to the lack of general election opponents in Texas House elections. Despite that, **Texas ranks #3 for state house chambers with the highest average contributions.**
- The cost of a Texas Senate seat in rural areas is \$1 million, compared with \$2 or \$3 million dollars in urban areas.
- The largest single item in the campaign budget is **media**, especially television, but those costs have increasingly been taken on by non-candidate organizations.





# 2016 Texas Legislature Primary: Top Twelve Spending per Vote

Candidate	Race - District	Spending	Votes	Spending/Vote
Joe Straus (R)	Texas House - 121	\$4,687,935	15,259	\$307.22
Charlie Geren (R)	Texas House - 99	\$1,593,804	13,302	\$119.82
Blake Rocap (D)	Texas House - 49	\$114,208	982	\$116.30
Byron Cook (R)	Texas House - 8	\$1,136,026	14,396	\$78.91
Trey Martinez Fischer (D)	Texas Senate - 26	\$1,645,504	21,374	\$76.99
Ryan Downton (R)	Texas Senate - 24	\$359,754	5,345	\$67.31
John Raney (R)	Texas House - 14	\$760,512	11,503	\$66.11
Wayne Smith (R)	Texas House - 128	\$494,688	7,568	\$65.37
Jeff Judson (R)	Texas House - 121	\$430,930	7,245	\$59.48
Abraham Padron (D)	Texas House - 36	\$280,926	4,949	\$56.76
Bennett Ratliff (R)	Texas House - 115	\$403,196	7,666	\$52.60
Doug Miller (R)	Texas House - 73	\$962,579	18,509	\$52.01

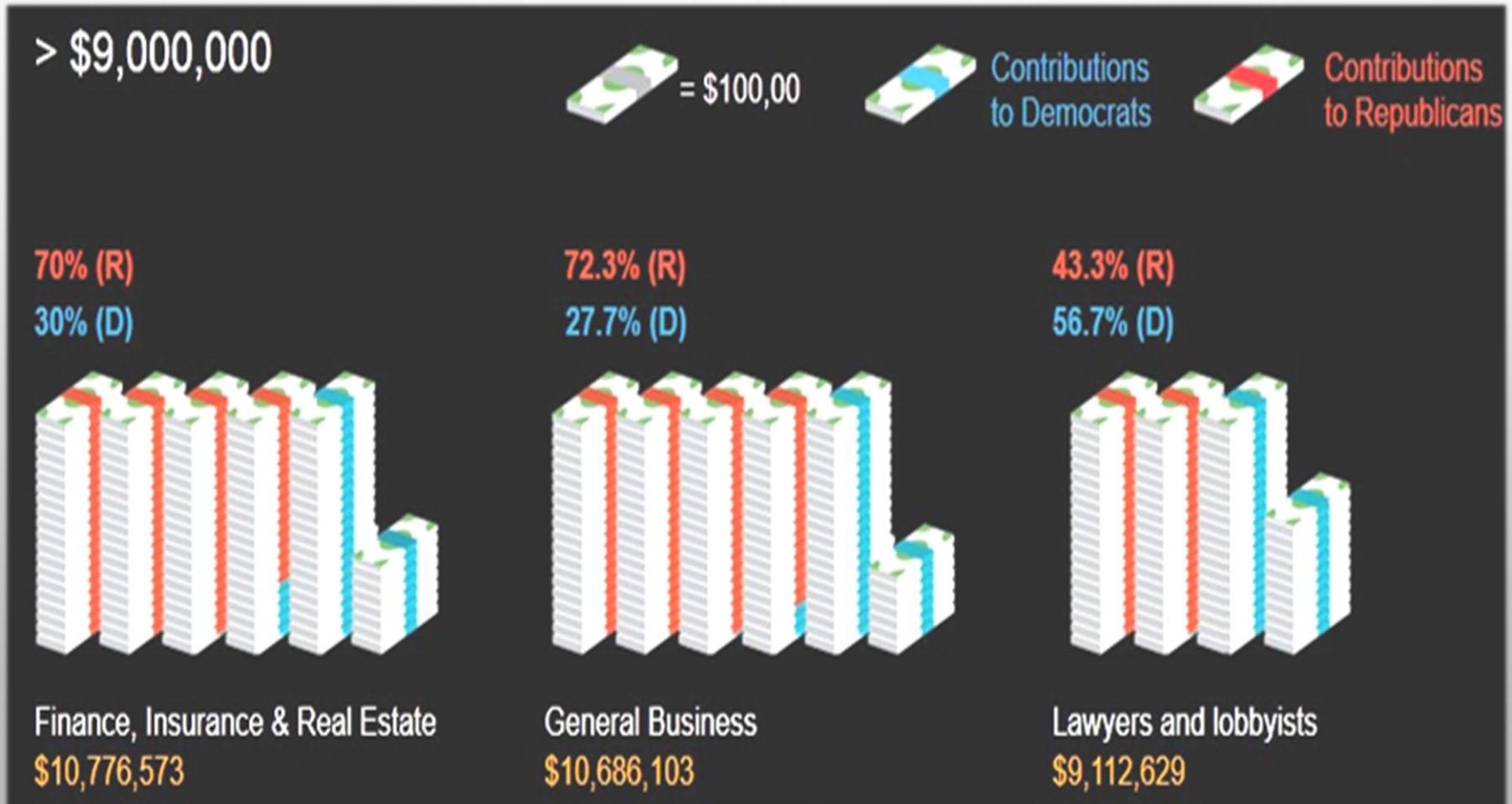


# Where does the money come from?

- Small donors make good press but large donors win reelection campaigns.
- In 2016, just 20 donors supplied most of the money raised by GOP candidates for state office.
- Wealthy donors usually represent a special interest.
- interest groups, corporations and professional associations
- political parties
- Candidates who are wealthy can bankroll their own campaigns.
- Texas law places no limits on campaign contributions or campaign expenditures for candidates for executive or legislative office.
- Many retired politicians favor public funding.



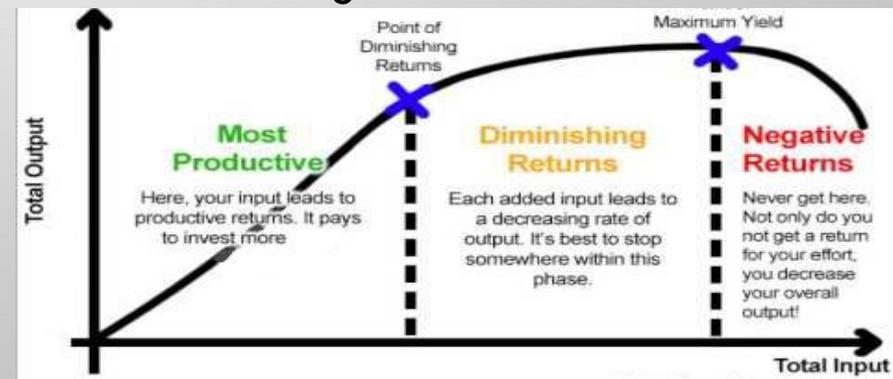
# Contributions to Texas Legislature Candidates, 2010





# The relationship between electoral success and money is complex.

- Money does not guarantee success.
- The **law of diminishing returns** (the principle that a continual increase in investment does not lead to a continual increase in results) may apply to campaign spending.
- Pure campaign spending in head-to-head congressional elections does not seem to tilt the playing field in any significant way.
- Big money without the right message can spell defeat.
- You don't need the most money, but you do need enough.
- Money doesn't make all the difference ... unless it does.





# The relationship between electoral success and money is complex.

- Gold doesn't always glitter in politics but you better have some of it, and sometimes, sometimes, having the most can matter the most.
- It is true that successful candidates typically spend more on their campaigns than do their opponents, but it is also true that successful candidates possess attributes that are useful for both raising money and winning votes.
- Still, politics requires a large investment just to get started. You must either have that **initial investment** yourself or spend time convincing people to give it to you ... neither of which is workable for the vast majority of the Texas public.



# continued in Texas Elections Part II

**STUFFED.**

**FEN SARGENT**  
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