HELP AMERICA VOTE ACT (HAVA)

GUIDE TO THE TEXAS HAVA GRANT PROCESS AND THE ONLINE GRANT SYSTEM

There Are Three Basic Steps to Complete the Grant Award Process –

1. Both the original grant award agreement that was issued in September 2004 and the subsequent amendment 1 that was issued in April 2005 must be signed and returned to the Office of the Secretary of State.

2. A resolution from the county's governing body (i.e., county commissioners court) must be submitted as well. Required language for the resolution is included in Section 13 of the grant award agreement. In addition to the parties that typically sign a resolution for the county (e.g., the county judge and the commissioners), the county election official(s) and the county financial officer must also sign the resolution. The award agreement and resolution documents should be submitted to the following address:

> Office of the Secretary of State
> Elections Division
> c/o Dan Glotzer
> PO Box 12060
> Austin, Texas 78711-2060

3. The online forms located on the Texas HAVA online grant system must be satisfactorily completed.

Funding Available to the Counties –

County Education Fund – These funds are to be used for reimbursement of costs incurred as a result of attending professional election training such as conferences and seminars. Expenditures under this fund may be incurred by the county election officials (i.e., county clerks, voter registrars, and elections administrators). Those officials may choose to use the funds to send members of their staffs to eligible conferences and seminars – this does not include election judges and poll workers.

Voting System Replacement (punch card and lever counties only) – These funds are to be used to replace punch card voting system or a lever voting system that were used to administer the regularly scheduled general election for federal office in November 2000. Eligible expenditures include HAVA-compliant voting equipment and software.

Voting System Accessibility – These funds are to be used for reimbursement of costs incurred as a result of obtaining a HAVA-compliant accessible voting system in each polling location. 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 site.

General HAVA Compliance – These funds are to be used for reimbursement of costs incurred as a result of upgrading voting systems to comply with new federal standards (HAVA Title III requirements), including acquiring an accessible voting system in each polling place.

Funds may also be used for reimbursement of costs incurred as a result of educating poll workers and voters on the following if it is in addition to training or outreach typically provided by the county:

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) Provisional voting procedures - 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.

Costs incurred as a result of posting the following information is also eligible for reimbursement:

h) A sample version of the ballot that will be used for that election.

i)   Information regarding the date of the election and the hours during which polling places will be open.

j)   Instructions on how to vote, including how to cast a vote and how to cast a provisional ballot.

k)   Instructions for mail-in registrants and first-time voters under section 303(b) of HAVA.

l)   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.

m)   General information on Federal and State laws regarding prohibitions on acts of fraud and misrepresentation.

Period of Grant Fund Availability –

Although there is no deadline currently imposed by SOS for the county to submit the necessary documents (i.e., the original grant award agreement, the required resolution, and the recent amendment), counties are encouraged to do so as soon as possible to expedite the approval of the grant budgets once the county is prepared to submit them via the online grant system. In addition, counties should be mindful of the HAVA compliance dates in Section 8 of the grant award agreement and the time periods for which expenditures can be incurred as outlined in Section 19. The dates in which obligations can be incurred and be reimbursed by the grant are as follows:

County Education Fund – June 1, 2004 thru August 31, 2006.

Voting System Replacement (punch card/lever counties only) – January 1, 2001 thru December 31, 2005.

Voting System Accessibility – November 8, 2000 thru August 31, 2006.

General Title III Compliance –

1.   Upgrading voting systems to comply with new federal standards, including accessible voting systems: November 8, 2000 thru August 31, 2006.

2.   Maintenance and storage costs of HAVA-compliant voting system: November 8, 2000 thru December 31, 2008.

3.   Poll worker and voter education: September 1, 2004 thru December 31, 2008.

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.

Accessing the Grant System for the First Time –

The first time a user accesses the system, he or she will be prompted to enter his or her contact information. It is important to include an email address because notifications will be sent via email when certain transactions occur (e.g., grant budget approval).

Creating an Application –

The authorized official for the county (county judge) has access to apply for the funding. Once in the grant system, there are three purpose areas (four in the case of punch card and lever counties) viewable on the left side of the screen: County Education Fund, Voting System Replacement (punch card and lever counties only), Voting System Accessibility, and General HAVA Compliance. See Figure 1. The funding available to the county for each purpose area is viewable on the right side of the screen.

Figure 1

Grant Applications

County Education Fund
Create Grant Application

Voting System Replacement
Create Grant Application

Voting System Accessibility
Create Grant Application

General HAVA Compliance
Create Grant Application

Other

Reports
Status Report
County Info Report

My Profile
Update Profile
Change Password

Exit
Logout

County Address –

When the county selects "Create Grant Application" for the first time, the county will be prompted for the official county address as well as the county's Employer Identification Number, State Vendor ID (VIN), and 3-digit Mail Code. See Figure 2. The State Vendor ID is assigned by the State Comptrollers Office when an entity receives funds from the state and is comprised of the federal ID number plus a few other digits. The mail code determines into which account the funds will be direct deposited or whether a state warrant will be mailed. The county financial officer (i.e., county auditor or treasurer) should have this information. If additional assistance is needed, please contact financial services at 512-463-6356 or email dbradford@sos.state.tx.us.

Below are the steps for completing the County Address form:

STEP 1 -- In the appropriate field, enter the correct number.

STEP 2 -- Click submit at the bottom of the form.

STEP 3 -- The system will take you back to the grant application.

Figure 2 - Official County Address

Please provide the following information

County: Bell

Organization's Legal Name: Bell County

* Address:

Address 2:

* City:

* State (Postal abbreviation): TX

* ZIP Code:

* Required Field

Identification Codes

* Employer Identification Number   **County Fiscal Year End Date**

* State Vendor ID (VIN)   *** Mail Code**

* Required Field

Save   Submit   Print   Home

Submitting a Budget for the County Education Fund (Figure 3) –

STEP 1 -- Select the "Travel" budget category.

STEP 2 -- Enter a description of the training making sure to include the name of the training, the location, and the dates. Enter one training event per line item. See example below:

22nd Annual Election Law Seminar for VRs/EAs – Austin, Texas – August 25-27, 2004

STEP 3 -- Enter the amount in the cost field.

See Figure 3.

Adding Line Items, Saving, and Submitting

STEP 1 -- If additional line items are needed, click the "Save" button at the bottom of the screen and three more line items will appear. Repeat that process as many times as needed. Note: If a user is not finished completing the budget but wishes to log out of the system, all data will be saved and can be accessed at a later time when the "Save" button is clicked.

STEP 2 -- Once the budget is complete and ready for submission to the SOS for approval, click the "Submit" button.

Figure 3 – County Education Fund Example

Budget

Maximum Grant Amount: $11,000.00

	CATEGORY	DESCRIPTION	COST
1	Travel	Election Center Professional Education Program - Portland, Oregon - 7/9 - 7/18/2004 - County Clerk Employees	$5,250.00
2	Travel	Election Center National Conference and Professional Education Program - Washington, D.C. - 8/23 - 8/28/2004 - County Clerk Employees	$250.00
3	Travel	Election Center National Conference and Professional Education Program - Washington, D.C. - 8/23 - 8/28/2004 - Voter Registration Employees	$5,500.00

Requested Funding: $11,000.00

Remaining Balance: $0.00

State Voting System Certification –

Pursuant to § 123.035 of the Texas Election Code, counties must receive a letter from the Office of the Secretary of State affirming that the voting system and voting system equipment being acquired under the contract satisfy the applicable requirements for approval. Accordingly, the county must submit a copy of the relevant portions of the contract identifying the software and equipment version numbers to the SOS:

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

Texas Building and Procurement Commission Voting System Term Contract

If the county utilizes the term contract through the Texas Building and Procurement Commission's Co-Op Program, a copy of the purchase order (with the version numbers) must be faxed or mailed to the contact information listed above.

The TBPC number for the contract is 578-N1 and can be viewed in its entirety at the following website address:
http://www.tbpc.state.tx.us/cat_page/cat_578_n1_0503.html.

For further information regarding the Co-Op program or the voting system term contract, contact Penny Farias, TBPC Purchaser, at (512) 463-9924 or e-mail at Purchaser.P@tbpc.state.tx.us. You may also visit the Co-Op website at
http://www.tbpc.state.tx.us/stpurch/coopmain.html for more information.

Allocating the Overall Cost of Purchasing a HAVA-compliant Voting System –

Voting System Accessibility (See Figure 4) – Complete the Voting System Accessibility budget first by selecting the Accessible HAVA-Compliant Voting Equipment budget category.

- If that funding doesn't cover all of the accessible DREs, the balance should be taken out of the General HAVA Compliance fund (or the Voting System Replacement fund for punch card and lever counties).

- If the Voting System Accessibility funding more than covers the accessible DREs, then the county can charge other certified components of the voting system to that fund using the Additional HAVA-Compliant Voting Equipment budget category.

Voting System Replacement (punch card and lever counties only) (See Figure 5) – For punch card and lever counties only, select from the Accessible HAVA-Compliant Voting Equipment and Additional HAVA-Compliant Voting Equipment budget categories as needed.

General HAVA Compliance (See Figure 6) – Counties can select from the Accessible HAVA-Compliant Voting Equipment, Additional HAVA-Compliant Voting Equipment, Other Equipment, and Contractual budget categories to capture the balance of the contract not covered by the other allotment(s) of funding.

Submitting a Budget for the Voting System Accessibility & Punch Card and Lever Voting System Replacement Funding (Figures 4 & 5)–

Accessible HAVA-Compliant Voting Equipment

STEP 1 -- For accessible voting units such as DREs, select the "Accessible HAVA-Compliant Voting Equipment" budget category.

STEP 2 -- Select the appropriate Texas-certified voting equipment from the dropdown menu in the description field.

STEP 3 -- Enter the cost in the amount field.

Additional HAVA-Compliant Voting Equipment

STEP 1 – For other voting system components such as non-accessible DREs, tabulators, and other certified hardware and software, select the "Additional HAVA-Compliant Voting Equipment" budget category.

STEP 2 -- Select the appropriate Texas-certified voting equipment from the dropdown menu in the description field. If the equipment is not listed, please send an email to hava@sos.state.tx.us and include the vendor name, the component title, and the version number.

STEP 3 -- Enter the cost in the amount field.

Adding Line Items, Saving, and Submitting

STEP 1 -- If additional line items are needed, click the "Save" button at the bottom of the screen and three more line items will appear. Repeat that process as many times as needed. Note: If a user is not finished completing the budget but wishes to log out of the system, all data will be saved and can be accessed at a later time when the "Save" button is clicked.

STEP 2 -- Once the budget is complete and ready for submission to the SOS for approval, click the "Submit" button.

Figure 4 – Voting System Accessibility Budget Example

Maximum Grant Amount: $117,000.00

	CATEGORY	DESCRIPTION	COST
1	Accessible HAVA-Compliant Voting Equipment	DRE v. 1.0 (WITH Disabled Access Unit Upgrades)	$117,000.00

Requested Funding: $117,000.00

Remaining Balance: $0.00

Figure 5 – Voting System Replacement Budget Example

Maximum Grant Amount: $124,496.58

	CATEGORY	DESCRIPTION	COST
1	Accessible HAVA-Compliant Voting Equipment	DRE v. 1.0 (WITH Disabled Access Unit Upgrades)	$10,600.00
2	Additional HAVA-Compliant Voting Equipment	DRE v. 1.0 (WITHOUT Disabled Access Unit Upgrades)	$113,896.58

Requested Funding: $124,496.58

Remaining Balance: $0.00

Submitting a Budget for the General HAVA Compliance Funding (Figure 6) –

Accessible HAVA-Compliant Voting Equipment

STEP 1 -- For accessible voting units such as DREs, select the "Accessible HAVA-Compliant Voting Equipment" budget category.

STEP 2 -- Select the appropriate Texas-certified voting equipment from the dropdown menu in the description field.

STEP 3 -- Enter the cost in the amount field.

Additional HAVA-Compliant Voting Equipment

STEP 1 – For other voting system components such as non-accessible DREs, tabulators, and other certified hardware and software, select the "Additional HAVA-Compliant Voting Equipment" budget category.

STEP 2 -- Select the appropriate Texas-certified voting equipment from the dropdown menu in the description field. If the equipment is not listed, please send an email to hava@sos.state.tx.us and include the vendor name, the component title, and the version number.

STEP 3 -- Enter the cost in the amount field.

Other Equipment

STEP 1 -- Select the "Other Equipment" budget category.

STEP 2 -- In the description field, enter a description of other equipment that is to be charged to the grant for voting system upgrades for HAVA-compliance or that will be used exclusively for education purposes that are consistent with the grant activities.

- Each equipment type should be listed as a separate line item; however, hardware packages can be listed in a single line item description - for example: Hardware Package (package includes four (4) PCs, three (3) printers, and two (2) scanners).

STEP 3 -- Enter the cost in the amount field.

Supplies and Direct Operating Expenses

STEP 1 -- Select the "Supplies" budget category.

STEP 2 -- Enter the description of supplies to be charged to the grant to carryout the grant activities in the description field.

- Each category of supplies should be listed as a separate line item. Examples of separate supply line items: consumable office supplies, printing costs for pamphlets, copying costs for education activities, etc...

STEP 3 -- Enter the cost in the amount field.

Contractual

STEP 1 -- Select the "Contractual" budget category.

STEP 2 -- Enter the description of contractual services to be charged to the grant in the descriptions field. Each contractual service should be listed as a separate line item.

STEP 3 -- Enter the cost in the amount field.

Travel

STEP 1 -- Select the "Travel" budget category. Overnight travel must be captured as a single line item. For example, overnight travel from Dallas to Austin should be captured as a single line item.

STEP 2 -- In the description field, enter the purpose of the trip as it relates to the grant activities described above.

STEP 3 -- Enter the cost in the amount field.

Adding Line Items, Saving, and Submitting

STEP 1 -- If additional line items are needed, click the "Save" button at the bottom of the screen and three more line items will appear. Repeat that process as

many times as needed. Note: If a user is not finished completing the budget but wishes to log out of the system, all data will be saved and can be accessed at a later time when the "Save" button is clicked.

STEP 2 -- Once the budget and the grant activities section (refer to "Entering Grant Activities" instructions below) are complete and ready for submission to the SOS for approval, click the "Submit" button.

Entering Grant Activities

STEP 1 -- After the budget has been entered, click the check box to the left of each sub-purpose area title in the "Grant Activities" section below the budget. The county may select one, two, three, or all four sub-purpose areas.

STEP 2 -- Enter a brief description of the activities that will be charged to the grant for each sub-purpose area selected in STEP 1 making sure to follow these basic guidelines:

- Upgrading Voting Systems -- Enter a brief description of the equipment to be charged to the grant that will be used to upgrade the county's voting equipment to be HAVA compliant. For example, if the county intends to create a hybrid system consisting of non-accessible DREs or optical scan machines to be used with accessible voting systems in each polling place, provide a description of the equipment and how the system will work.

- Acquiring Accessible Voting Systems -- Enter a brief description of accessible voting equipment (i.e., accessible DREs) to be charged to the county's General HAVA Compliance allotment of funding.

- Voter Education -- Enter a brief description of the activities to be charged to the grant and how those activities are related to the Voter Education Curriculum described in Sections 6.3.3. and 6.3.4. in the grant award agreement (also listed in the Funding Available to the Counties section of this guide).

- Election Worker Training -- Enter a brief description of the activities to be charged to the grant and how those activities are related to the Election Worker Education Curriculum described in Section 6.3.5. in the grant award agreement (also listed in the "Funding Available to the Counties" section of this guide).

STEP 3 -- To the right of the description for each sub-purpose area selected by the county, enter the projected amount to be charged to the General HAVA Compliance allotment of funding. (Note, the total of the sub-purpose areas must equal the total budgeted amount entered in the budget detail section.)

Figure 6 – *General HAVA Compliance Budget Example*

Maximum Grant Amount: $604,744.14

	CATEGORY	DESCRIPTION	COST
1	Additional HAVA-Compliant Voting Equipment	DRE v. 1.0 (WITHOUT Disabled Access Unit Upgrades)	$284,000.00
2	Additional HAVA-Compliant Voting Equipment	Judges Booth Controller v. 1.0	$110,000.00
3	Additional HAVA-Compliant Voting Equipment	Election Management Software System v. 1.0	$50,000.00
4	Other Equipment	Demo DREs	$10,000.00
5	Other Equipment	Hardware Package less $5,000 Trade-in Discount (package includes four (4) PCs, three (3) printers, and two (2) scanners	$25,500.00
6	Contractual	Election Worker Training	$15,000.00
7	Contractual	License Fee (Less $5,000 Discount)	$50,000.00
8	Contractual	Maintenance	$60,244.14

Requested Funding: $604,744.14

Remaining Balance: $0.00

Grant Activities

Requested Funding: $604,744.14

PURPOSE AREA	DESCRIPTION OF ACTIVITIES	PROJECTED ALLOCATION
☐ Voter Education		$0.00
☑ Election Worker Training	5 days of voting system training for county election staff.	$15,000.00
☑ Upgrading Voting Systems	Costs associated with purchasing a HAVA-compliant voting system to work in conjunction with the accessible DREs purchased by the county, such as non-accessible DREs and other voting system components.	$589,744.14
☐ Acquiring Accessible Voting Systems		$0.00

Allocation Total: $604,744.14

Remaining Balance: $0.00

SOS Review and Approval –

If the forms have been satisfactorily completed and the SOS has received the signed grant award agreement, the required resolution, and the subsequent amendment to the grant award agreement (amendment 1), an email notification will be sent to the county judge, the election official(s), and the financial officer. An email notification will also be sent if the application needs clarification. (Note: an email notification will only be sent if the user provides one when entering his or her contact information – see "Accessing the Grant System for the First Time" section of this guide.)

Requesting Reimbursement –

The financial officer for the county (auditor or treasurer, depending on the county) has access to request reimbursement against the approved budget. All payments are made on a cost reimbursement basis no more than once a month based on actual expenditures. Counties can draw down funds after the county has been invoiced for goods or services received and payment has been released by the county.

- 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.

STEP 1 – After logging into the system, click on "Request Reimbursement" on the left-side of the screen under the purpose area from which funds will be requested.

STEP 2 – Indicate the payment period which covers the reimbursement request. If the reimbursement request is the final request for that purpose area, check the "Is this the final payment?" checkbox. A final request indicates the close-out of that purpose area (grant).

- Only eligible costs that are obligated during the grant period may be charged to the HAVA grant.

STEP 3 – In the "Reimbursement Request Form" section, enter the cumulative units and the cumulative expenditures for each line item in the approved budget for which reimbursement is being requested.

- Any corrections made to prior periods must be reflected in the cumulative columns.

- Cumulative expenses may not exceed budget category totals by more than 10% of the award. A budget adjustment will need to be submitted if expenses exceed this amount as long as the funding period has not ended.

STEP 4 – In the "Equipment Serial Numbers" section, enter the serial numbers for each piece of equipment that the funding covers.

- Numbers can be copied from a source document, such as a spreadsheet, and pasted into the serial number field below the budget.

STEP 5 – In the "Program Income" section, enter income earned and expended since the beginning of the grant period in the "Cumulative as of this report period" column. In addition, a detail of the program income expenditures must be reported in the ensuing textbox. (See Section 20 of the grant award agreement for more information about program income.)

STEP 6 – For the General HAVA Compliance purpose area only, in the "General Hava Compliance Sub-Purpose Areas" section, report cumulative expenditures by sub-purpose area for which reimbursement is being requested.

- The sub-purpose total must be equal to the cumulative expenditures total.

Requesting a Grant Adjustment –

A county may adjust a budget that has already been approved by SOS if it has a balance of funding that has not been allocated or the county has funding in its approved budget that it has not drawn down. The authorized official for the county (county judge) has access to apply for a grant adjustment.

STEP 1 -- Click "Request Grant Adjustment" under the purpose area for which the county wishes to adjust the budget.

- The currently approved budget will appear at the top of the screen and an editable version of the budget will appear just below.

- Line items that have not been reimbursed can be modified or deleted and new line items can be created.

- To delete a line item, select "Add Budget Category" from the dropdown menu under budget category; select the text in the description field and delete; delete the amount in the cost field.

STEP 2 – Adjust the budget as necessary following the instructions outlined in the "Submitting a Budget" sections of this guide.

STEP 3 – Budget submission and SOS review and approval operate the same as the grant application process described in the "Submitting a Budget" and "SOS Review and Approval" sections of this guide.