



Form: TH-09

# Virginia Regulatory Town Hall

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## Exempt Action Final Regulation Agency Background Document

<b>Agency name</b>	State Board of Elections
<b>Virginia Administrative Code (VAC) citation</b>	1VAC20-50-30
<b>Regulation title</b>	Appeals of petition signature insufficiency
<b>Action title</b>	
<b>Final agency action date</b>	6/25/2013
<b>Document preparation date</b>	6/25/2013

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, Executive Orders 14 (2010) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

### Summary

*Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.*

The General Assembly passed SB 1049 during the 2013 session. The bill provides that candidates are given an opportunity to appeal a decision of signature insufficiency and that “[t]he State Board shall develop procedures for the conduct of such an appeal.”

The current regulation before you provides a regulation process that fills in specific procedures not directly addressed by the legislation, including:

- Documents that must be submitted with a notice of appeal
- Notary requirements for the notice of appeal

- Who bears the burden of proof
- Necessary documentation to support claims of eligibility
- The necessary number of board members' acquiescence necessary to reverse a previously-rendered eligibility determination of a signature
- The finality of the appeal process

### Statement of final agency action

*Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.*

The State Board Elections at its meeting on June 25, 2013, approved the amendment to the regulation titled Appeals of Petition Signature Insufficiency, 1 VAC 20-50-30.

### Family impact

*Assess the impact of this regulatory action on the institution of the family and family stability.*

None.