



Exempt Action Final Regulation Agency Background Document

Agency name	State Board of Elections
Virginia Administrative Code (VAC) citation	1VAC20-60
Regulation title	Election Administration Restatement
Action title	Board regulation restating approved Board policies for election administration.
Final agency action date	1/31/2011, effective when precleared
Document preparation date	2/1/2011

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.

This regulation adopted by the Board restates approved Board policies for administration of absentee voting identified and reaffirmed by the Board in 2009 following a comprehensive in-depth review of all policies dating back to the Board's creation in 1946. The Board reaffirmed those policies identified as stating current rules with which general registrars and electoral boards must comply under § 24.2-103 of the Code of Virginia. This regulation restates the Board policies so identified as regulations for publication in the Virginia Administrative Code where they will be more accessible to the public and the election community. This regulation is based on Board policies 2008-010, 2008-009, 2006-009 and 2001-001.

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 January 31, 2011, approved the regulation titled Election Administration Restatement and directed that the regulation be submitted for preclearance as required by § 5 of the Voting Rights Act before the regulation takes effect. In response to comments from a general registrar and State Board of Elections staff, the Board approved amending the regulation to (1) make generally applicable a provision in 1 VAC 20-60-30 for determination by a majority of the officers of election; (2) remove a paragraph dealing with voting equipment programming for placement in a future regulation dealing with voting equipment; and (3) correct a typographical error.

Family impact

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

None.