



Exempt Action Proposed Regulation Agency Background Document

Agency name	State Board of Elections
Virginia Administrative Code (VAC) citation	1 VAC 20-40-90
Regulation title	Proposed Regulation on Voter Identification Cards
Action title	Proposed Regulation on Voter Identification Cards
Document preparation date	4.2.2014

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the 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 State Board of Elections is proposing creation of a new regulation related to the creation of Voter Photo Identification Cards. The regulation is necessitated by a new voter identification standard passed by the General Assembly in 2013, and which goes into effect on July 1, 2014. The new provisions of Virginia Code § 24.2-404 requires that the State Board of Elections provides a card bearing the voter's photograph to any requesting registered voter that does not already possess one of the acceptable identification cards listed in Virginia Code § 24.2-643(B). The State Board of Elections, at its April 2, 2014 meeting, requested that the regulation be posted on Town Hall beginning April 21, 2014 for a period of 21 days.

The proposed regulation provides, *inter alia*, the situations where a voter can request the card and the requirements that they must meet prior to its issuance. The regulation gives general registrars the capability of soliciting applications for the ID outside of their general registrar's office, but does not require such action take place. It provides guidance for the issuance of a

temporary identification document and for replacement cards. The regulation also contains a provision stating that a person's inclusion in the Department of Motor Vehicle's database will not exclude such person from receiving a Voter Photo Identification Card.

Family impact

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

None.

Public participation

Please indicate whether the agency is seeking comments on the intended regulatory action, including ideas to assist the agency in the development of the proposal and the costs and benefits of the alternatives stated in this notice or other alternatives. Also, indicate whether a public hearing is to be held to receive comments on this notice.

The agency is seeking comments on the proposed regulatory action, including but not limited to improving clarity and utility to voters and election officials.

Anyone wishing to submit comments may do so **at the public hearing to be scheduled in May or June 2014. Interested persons are encouraged to submit comments online using the** Regulatory Town Hall website from April 21, 2014 through May 12, 2014, www.townhall.virginia.gov or by mail, email, or fax to Myon McClees, Policy Analyst, 1100 Bank St., Richmond, VA 23291, 804.864.8949, 804.371.0194 (fax), myronmcclees@sbe.virginia.gov Written comments must include the name and address of the commenter. In order to be considered, written comments must be received by the last day of the public comment period.

A public hearing will be held and notice of the hearing may be found on the Virginia Regulatory Town Hall website (www.townhall.virginia.gov) and can be found in the Calendar of Events section of the Virginia Register of Regulations. Both oral and written comments may be submitted at that time.