



Virginia Regulatory Town Hall

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Notice of Proposed Regulatory Action Agency Background Document

Agency name	State Board of Elections
Virginia Administrative Code (VAC) citation	1 VAC 20-60
Regulation title	Material Omissions on Referendum Petitions
Action title	This proposed regulation concerns material omissions to referendum petitions.
Date this document prepared	8/20/2010

Purpose

This proposed regulation concerns material omissions to referendum petitions. It distinguishes between omissions that are always material and cause a petition to be rendered invalid and omissions that are not material.

Legal basis

Section 24.2-103 requires the State Board of Elections to make regulations governing the conduct of elections.

Need

Please detail the specific reasons why the agency has determined that the proposed regulatory action is essential to protect the health, safety, or welfare of citizens. In addition, delineate any potential issues that may need to be addressed as the regulation is developed.

The proposed regulation is necessary to assure uniformity in review of referendum petitions.

Substance

This new regulation provides standards to assist general registrars in determining what omissions are always material and cause a petition to be rendered invalid and what omissions are not material.

Alternatives

Please describe all viable alternatives to the proposed regulatory action that have been or will be considered to meet the essential purpose of the action. Also, please describe the process by which the agency has considered or will consider other alternatives for achieving the need in the most cost-effective manner.

A regulation of statewide application is needed to achieve uniformity.

Public participation

The agency is seeking comments on the intended regulatory action, including but not limited to 1) ideas to assist in the development of the proposal, 2) the costs and benefits of the alternative or additional standards, and 3) potential impacts of the regulation. The agency is also seeking information on impacts on voters, issue advocacy groups and election administrators. Information may include 1) projected reporting, recordkeeping and other administrative costs, 2) probable effect of the regulation on affected voters, issue advocacy groups and election administrators, and 3) description of less intrusive or costly alternative methods of achieving the purpose of the regulation.

Anyone wishing to submit comments may do so **at the public hearing scheduled September 14, 2010, or** via the Regulatory Townhall website, www.townhall.virginia.gov, or by mail, email, or fax to Peter Goldin, 1100 Bank St., Richmond, VA 23219, 804.864.8930, 804.864.786.0760 (fax), peter.goldin@sbe.virginia.gov Written comments must include the name and address of the commenter. In order to be considered, 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.

Family impact

None.