



## Exempt Action Proposed Regulation Agency Background Document

<b>Agency name</b>	State Board of Elections
<b>Virginia Administrative Code (VAC) citation</b>	1 VAC 20-60-30, 20-60-40, 20-60-50
<b>Regulation title</b>	2013 Periodic Review Election Administration
<b>Action title</b>	2013 Periodic Review Election Administration
<b>Document preparation date</b>	12.5.2013

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 amendments to three regulations on election administration to implement recommendations received during its periodic review announced May 15, 2013, pursuant to 1 VAC 20-10-120. The comment period for Chapter 60 opened on June 3, 2013, and closed June 24, 2013. The staff presented comments received and proposed changes to the regulations to the Board at its meeting on December 2, 2013. The Board approved inviting comments on the proposed changes through the Town Hall. The proposed changes address the use of electronic devices in the polling place, replace the word “precinct” with the more appropriate term “polling place,” provide parameters in the regulation defining when a ballot is cast for provisional ballots, and provide guidance to election officials on the process of emptying an overfull ballot container in single-party primaries.

### Family impact

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

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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.***

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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 January or February 2014. Interested persons are encouraged to submit comments online using the** Regulatory Town Hall website from December 30, 2013 through January 8, 2014, [www.townhall.virginia.gov](http://www.townhall.virginia.gov) or by mail, email, or fax to Myron McClees, Policy Analyst, 1100 Bank St., Richmond, VA 23291, 804.864.8949, 804.371.0194 (fax), [myronmcclees@sbe.virginia.gov](mailto: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](http://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.**