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Exempt Action: Proposed Regulation Agency Background Document

Agency name	State Board of Elections
Virginia Administrative Code (VAC) Chapter citation(s)	1 VAC 20-70
VAC Chapter title(s)	Absentee Voting
Action title	Security requirements for absentee satellite offices
Date this document prepared	06/29/2020

Although a regulatory action may be exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the *Code of Virginia*, the agency is still encouraged to provide information to the public on the Regulatory Town Hall using this form. However, the agency may still be required to comply with the Virginia Register Act, Executive Order 14 (as amended, July 16, 2018), the Regulations for Filing and Publishing Agency Regulations (1VAC7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

The purpose of this regulation is to provide guidance to localities and general registrars regarding the term “adequate facilities” as used in Virginia Code section 24.2-701.2. The Virginia Code states that all early voting satellite locations “shall have adequate facilities for the protection of all election materials...and any voting systems in use at the location.” Currently, neither the Virginia Administrative Code nor the Virginia Elections Code discusses what physical protections and cyber security protections are necessary to make voting systems safe and secure at satellite offices.

Mandate and Impetus

Identify the mandate for this regulatory change, and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, internal staff review, petition for rulemaking, periodic review, or

board decision). "Mandate" is defined as "a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

Board decision.