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Exempt Action Proposed Regulation Agency Background Document

Agency name	Department of Elections
Virginia Administrative Code (VAC) citation(s)	1 VAC 20-40-70
Regulation title(s)	Applications for Voter Registration; Affirmation of United States Citizenship
Action title	2015 Voter Registration Application Regulation and Form Update
Date this document prepared	May 22, 2015

While a regulatory action may be exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Administrative Process Act (APA), the agency is still 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 17 (2014) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Brief summary

Please provide a brief summary of the proposed new regulation, proposed amendments to the existing regulation, or the regulation proposed to be repealed. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

At its meeting on May 13, 2015, the State Board of Elections approved publishing for public comments proposed changes to update to the state voter registration application form and administrative regulation for reviewing submitted forms to determine completeness. The changes to the form focus on implementing 2015 legislation replacing voter registration cards with correspondence confirming registration status and continuing improvements to online services the Department of Elections makes available to citizens who want to apply, check their registration status, or make changes independently on a 24/7 basis. Other changes simplify and make the form easier to complete, particularly for voters with physical disabilities, protected and homeless voters with clarification of instructions related to signature and including a mailing

address. The required receipt is moved to the front of the form with language to help ensure timely submission. The voter affirmation is expanded to give applicants the opportunity to correct omission of required eligibility questions. The proposed regulation also helps prevent material omissions by creating options to indicate “none” for social security number, middle initial and physical disabilities allowing submission without signature.

Consistent with the proposed form changes, the proposed changes to the Board’s administrative regulation expand the list of omissions not considered material for purposes of determining completeness of the application. Omissions classified as not material would include: indication of eligibility for late registration or protected voter status, interest in serving as an officer of election, suffix and witness signature. The proposed regulation also addresses use of the application to change name or address and includes technical changes to reflect administration by the Department of Elections rather than the State Board of Elections.

Family impact

Please assess the impact of this regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one’s spouse, and one’s children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

None.

Public participation

Please include a statement that in addition to any other comments on the proposal, the agency is seeking comments on the costs and benefits of the proposal and the impacts of the regulated community.

The Board is seeking comments on the proposed changes to 1 VAC 20-40-70 and the Virginia Voter Registration Application Form (VA-NVRA-1), 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 scheduled for July 28, 2015, at 8:00 a.m. Double Tree by Hilton, James River Ball Room, 1024 Koger Center Blvd. Richmond, VA 23235 with notice posted on the on the Virginia Regulatory Town Hall website (<http://www.townhall.virginia.gov>). **The proposed form can be viewed at this link also appearing at the end of the proposed regulation text: [Virginia Voter Registration Application Form, VA-NVRA-1 \(rev. 7/15\)](#)**

Interested persons are encouraged to submit comments online using the Regulatory Town Hall website from June 15, 2015, through July 15, 2015, <http://www.townhall.virginia.gov> or by mail, email, or fax to Martha Brissette, Policy Analyst, Department of Elections, 1100 Bank St., Richmond, VA 23219, 804.864.8925, 804.371.0194 (fax), martha.brissette@elections.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.