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Exempt Action: Final Regulation
Agency Background Document

Agency name	The Virginia Department of Elections
Virginia Administrative Code (VAC) Chapter citation(s)	1 VAC 20-10
VAC Chapter title(s)	Public Participation Guidelines
Action title	Periodic Review and Legislative Amendments to Public Participation Guidelines
Final agency action date	November 16, 2026
Date this document prepared	November 20, 2026

While 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 Virginia Regulatory Town Hall using this form. In addition, this information is required by the Virginia Registrar of Regulations pursuant to the Virginia Register Act (§ 2.2-4100 et seq. of the Code of Virginia). Regulations must conform to the *Regulations for Filing and Publishing Agency Regulations* (1 VAC 7-10), and the *Form, Style, and Procedure Manual for Publication of Virginia Regulations.*

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 amendments to 1VAC20-10, Public Participation Guidelines, update the terminology and procedures governing public participation in State Board of Elections regulatory actions. They distinguish the rulemaking authority of the State Board of Elections from administrative functions performed by the Department of Elections, define the Department and its website, and conform references to meetings, public notices, petitions for rulemaking, advisory panels, and public hearings to current law and agency practice.

The revisions also clarify procedures for maintaining notification lists, receiving and considering public comment, posting regulatory materials and meeting notices, and reviewing regulations periodically. The chapter continues to govern public participation in the Board's regulatory process; the changes arise primarily from the periodic review rather than a new program or regulatory framework.

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, petition for rulemaking, periodic review, or board decision). For purposes of executive branch review, "mandate" has the same meaning as defined in Executive Order 17 (2026), "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." For changes in response to federal mandates, indicate the extent of discretion related to the proposed regulatory changes, the rationale for the changes, and briefly indicate how the federal mandate aligns with the best interest of public welfare.

The State Board of Elections is authorized to promulgate regulations pursuant to § 24.2-103 of the Code of Virginia, which grants the Board authority to supervise and coordinate the work of local electoral boards and general registrars and to make rules and regulations to promote the proper administration of elections in the Commonwealth. This periodic review is conducted in accordance with § 2.2-4007.1 and § 2.2-4017 of the Code of Virginia, and the procedures of the Office of Regulatory Management.

Statement of Final Agency Action

Provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) that the agency has "adopted final amendments" to the regulation; 3) the name of the agency taking the action; and 4) the title of the regulation. A suggested statement is, "On [insert date] the Board/Department of [insert name] adopted final amendments to the [title of regulation(s)]."

On November 16th of 2026, the State Board of Elections adopted final amendments to the regulations to Public Participation Guidelines