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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 20-70
VAC Chapter title(s)	Absentee Voting
Action title	Periodic Review and Legislative Amendments to Absentee Voting
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 1VAC20-70, Absentee Voting, revise terminology and absentee-ballot processing provisions. They clarify that an omitted voter signature on Envelope B does not invalidate a ballot where an authorized assistant identifies the voter as blind or otherwise unable to sign due to disability under § 24.2-704. They also replace an outdated fixed reference to the third-day absentee-ballot receipt deadline with a reference to the deadline prescribed by § 24.2-709 B. Additional revisions clarify advance notice of absentee-ballot pre-processing or processing meetings, including a requirement for no fewer than 24 business hours' notice in the circumstances specified by the regulation; update the treatment of absentee-ballot applications; and emphasize the general registrar's responsibility to ensure that third-party absentee-ballot return-envelope designs preserve ballot secrecy.

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 governing Absentee Voting.