



Form: TH-09

Virginia Regulatory Town Hall

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Exempt Action Final Regulation Agency Background Document

Agency name	State Board of Elections
Virginia Administrative Code (VAC) citation	1VAC20-70-20
Regulation title	Material Omissions from Absentee Ballots
Action title	Board regulation detailing what errors or omissions on Envelope B must render the ballot invalid.
Final agency action date	1/23/2011, effective when precleared
Document preparation date	1/24/2011

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia 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.

This regulation details what errors or omissions on the Envelope B required by Va. Code § 24.2-706 must render an absentee ballot invalid. It represents the culmination of a process to develop regulatory guidance that began in 2010. After receiving more than 500 public comments on a draft regulation published September 12, 2011, the State Board of Elections at its meeting on October 13, 2011, voted to defer action to allow consideration of further changes to the regulations based on the comment received. A new draft was presented to the Board at its meeting on January 23, 2012, and unanimously approved. This regulation replaces an earlier one adopted in late 2010 that did not become effective and was withdrawn before preclearance. Upon preclearance, this regulation will replace Board policy 2008-006, Substantial Compliance currently in effect.

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

The State Board Elections at its meeting on January 23, 2012, approved the regulation titled Material Omissions from Absentee Ballots and directed that the regulation be submitted for preclearance as required by § 5 of the Voting Rights Act before the regulation takes effect.

Family impact

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

None.