



Exempt Action Proposed Regulation Agency Background Document

Agency name	State Board of Elections
Virginia Administrative Code (VAC) citation	1 VAC 20-45-10 through 20-45-40
Regulation title	Chapter 45 Absent Military and Overseas Voters
Action title	Chapter 45 Absent Military and Overseas Voters
Document preparation date	12.4.2013

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

The State Board of Elections is proposing a new Chapter 45 to collect all of its regulations dealing with absent military and overseas voters. This structure follows 2012 legislation enacting a new Chapter 4.1 of Title 24.2 for Virginia's enactment of the Uniform Military and Overseas Voters Act. The recommendation to restructure the regulations results from the periodic reviews of Chapters 40 and 70. The table below explains the relation to current regulations:

New	Current	Change
20-45-10	20-70-10	Limit scope; clarify federal only ballot definition
20-45-20	20-40-30(B), -70(C)	
20-45-30	20-40-80	
20-45-40	20-70-30	Clarifying language on mail absentee application deadline

Citations to relevant sections in Chapter 4.1 are added throughout. The Board at its meeting on December 2, 2013, approved inviting comments on the proposed new chapter through the Town Hall.

Family impact

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

None.

Public participation

Please indicate whether the agency is seeking comments on the intended regulatory action, including ideas to assist the agency in the development of the proposal and the costs and benefits of the alternatives stated in this notice or other alternatives. Also, indicate whether a public hearing is to be held to receive comments on this notice.

The agency is seeking comments on the proposed regulatory action, 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 to be scheduled in January or February 2014. Interested persons are encouraged to submit comments online using the Regulatory Town Hall website from December 30, 2013 through January 13, 2014, www.townhall.virginia.gov** or by mail, email, or fax to Martha Brissette, Policy Analyst, 1100 Bank St., Richmond, VA 23291, 804.864.8925, 804.371.0194 (fax), martha.brissette@sbe.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.

A public hearing will be held and notice of the hearing may be found on the Virginia Regulatory Town Hall website (www.townhall.virginia.gov) and can be found in the Calendar of Events section of the Virginia Register of Regulations. Both oral and written comments may be submitted at that time.