



townhall.virginia.gov

Exempt Action Proposed Regulation Agency Background Document

Agency name	Department of Elections
Virginia Administrative Code (VAC) citation(s)	___ 1 VAC20__50_-_20__
Regulation title(s)	Material Omissions from Candidate Petitions and Petition Signature
Action title	Amendments to existing regulations regarding candidate petitions
Date this document prepared	November 27, 2018

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 Regulatory Town Hall using this form. However, the agency may still be required to comply with the Virginia Register Act, Executive Order 14 (as amended, July 16, 2018), the Regulations for Filing and Publishing Agency Regulations (1 VAC7-10), and the *Virginia Register Form, Style, and Procedure Manual for Publication of Virginia Regulations*.

Brief Summary

Please 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.

Amendments to existing regulations regarding candidate petitions. The proposed amendment to 1VAC20-50-20(B) will make the petition page invalid if the candidate's address provided on the petition page does not match the candidate's voter registration record at the time of the petition's circulation.

The proposed amendment to 1VAC20-50-20(D) will permit the petition page or signature to be determined valid even if the signer fails to provide the year when the signing the petition. This proposed amendment will add to the circumstances in which an omission will be considered nonmaterial and will not render the petition page or signature invalid. The general registrar must still be able to independently and reasonably verify the validity of the petition page or signature.

Periodic Review Small Business Impact Review Announcement

If you wish to use this regulatory action to conduct, and this NOIRA to announce, a periodic review (pursuant to § 2.2-4017 of the Code of Virginia and Executive Order 14 (as amended, July 16, 2018)), and a small business impact review (§ 2.2-4007.1 of the Code of Virginia) of this regulation, keep the following text. Modify as necessary for your agency. Otherwise, delete the paragraph below and insert “This NOIRA is not being used to announce a periodic review or a small business impact review.”

In addition, pursuant to Executive Order 14 (as amended, July 16, 2018) and § 2.2-4007.1 of the *Code of Virginia*, the agency is conducting a periodic review and small business impact review of this regulation to determine whether this regulation should be terminated, amended, or retained in its current form. Public comment is sought on the review of any issue relating to this regulation, including whether the regulation (i) is necessary for the protection of public health, safety, and welfare; (ii) minimizes the economic impact on small businesses consistent with the stated objectives of applicable law; and (iii) is clearly written and easily understandable.