VIRGINIA
REGULATORY TOWN HALL

Exempt Action
Final Regulation
Agency Background Document

Agency name	The Department of Elections
Virginia Administrative Code (VAC) citation(s)	1VAC20-50-40
Regulation title(s)	**Review of canceled voters' petition signatures.**
Action title	New regulation in the event a petition signature belongs to a canceled voter.
Final agency action date	September 17, 2019
Date this document prepared	09/24/2019

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.

New regulatory action at the direction of the 2019 General Assembly. The purpose of this new regulation is to provide guidance to entities that review petition signatures regarding required conduct upon determining a petition signature belongs to a canceled voter. This regulatory action will require entities that review petition signatures to capture the names of canceled voters from the petition on a list and retain this list with the candidate's petition page. The reviewing entity may provide this information to appropriate law enforcement authorities.

Mandate and Impetus

Please identify the mandate for this regulatory change, and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, internal staff review, petition for rulemaking, periodic review, board decision, etc.). "Mandate" is defined as "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the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

Mandate for this regulatory action is SB 1564 from the 2019 legislative session.

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.

On September 17, 2019, the State Board of Elections is putting forward for public comment regulation 1VAC20-50-40 Review of canceled voters' petition signatures.

Periodic Review
Small Business Impact Review Report of Findings

If you are using this form to report the result of a periodic review/small business impact review that is being conducted as part of this regulatory action, and was announced during the proposed stage, please indicate whether the regulatory change meets the criteria set out in Executive Order 14 (as amended, July 16, 2018), e.g., is necessary for the protection of public health, safety, and welfare; minimizes the economic impact on small businesses consistent with the stated objectives of applicable law; and is clearly written and easily understandable.

In addition, as required by § 2.2-4007.1 E and F of the Code of Virginia, include a discussion of the agency's consideration of: (1) the continued need for the regulation; (2) the nature of complaints or comments received concerning the regulation from the public; (3) the complexity of the regulation; (4) the extent to the which the regulation overlaps, duplicates, or conflicts with federal or state law or regulation; and (5) the length of time since the regulation has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the regulation.

N/A

Commenter	Comment	Agency response

Enter statement here