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Exempt Action: Final Regulation Agency Background Document

Agency name	State Board of Elections
Virginia Administrative Code (VAC) Chapter citation(s)	1 VAC 20-60-70
VAC Chapter title(s)	Election Administration
Action title	Mandatory Logic and Accuracy Testing for Electronic Pollbooks
Final agency action date	10/02/2020
Date this document prepared	10/21/2020

Although 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 (1VAC7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

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.

This regulatory action amending 1VAC 20-60 guarantees that logic and accuracy testing is conducted on electronic pollbooks prior to the election for which those pollbooks will be used. This will guarantee that the election pollbooks are accurate and secure on Election Day, preventing disruptions to voting on Election Day.

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, internal staff review, petition for rulemaking, periodic review, or board decision). "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the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

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) the name of the agency taking the action; and 3) the title of the regulation.

Action taken 10/02/2020. State Board of Elections. Title: Mandatory Logic and Accuracy Testing for Electronic Pollbooks