

Office of Regulatory Management
Economic Review Form

Agency name	Department of Elections
Virginia Administrative Code (VAC) Chapter citation(s)	1VAC20-60-80
VAC Chapter title(s)	Election Administration
Action title	Amending 1VAC20-60-80 Request for a risk-limiting audit for a contested race within a jurisdiction
Date this document prepared	March 9, 2023
Regulatory Stage (including Issuance of Guidance Documents)	Final- Exempt

Cost Benefit Analysis

Complete Tables 1a and 1b for all regulatory actions. You do not need to complete Table 1c if the regulatory action is required by state statute or federal statute or regulation and leaves no discretion in its implementation.

Table 1a should provide analysis for the regulatory approach you are taking. Table 1b should provide analysis for the approach of leaving the current regulations intact (i.e., no further change is implemented). Table 1c should provide analysis for at least one alternative approach. You should not limit yourself to one alternative, however, and can add additional charts as needed.

Report both direct and indirect costs and benefits that can be monetized in Boxes 1 and 2. Report direct and indirect costs and benefits that cannot be monetized in Box 4. See the ORM Regulatory Economic Analysis Manual for additional guidance.

Table 1a: Costs and Benefits of the Proposed Changes (Primary Option)

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: There are no direct costs associated with this regulatory action.</p> <p>Indirect Costs: Local electoral boards may have to hire officers of election to serve on their audit boards if current staff or representatives are not available. The costs can be on average \$150 a person, making it a total of \$300 on average for two. Smaller localities may pay less and larger localities may pay more.</p> <p>Direct Benefits: There are no monetary benefits associated with this regulatory action.</p> <p>Indirect Benefits: There are no indirect monetary benefits associated with this regulatory action.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) ~\$300.00 for two officers of election	(b) 0.00
(3) Net Monetized Benefit	~ -\$300.00 for local electoral boards per audit board	
(4) Other Costs & Benefits (Non-Monetized)	Local electoral boards will have the option to choose a risk-limiting audit method that they feel is best for their jurisdiction and the contested race being applied for.	
(5) Information Sources	Previous Economic Review Form for 1VAC20-60-80, ELECT staff	

Table 1b: Costs and Benefits under the Status Quo (No change to the regulation)

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: There are no direct costs associated with this regulatory action.</p> <p>Indirect Costs: Local electoral boards may have to hire officers of election to serve on their audit boards if current staff or representatives are not available. The costs can be on average \$150 a person, making it a total of \$300 on average for two. Smaller localities may pay less and larger localities may pay more.</p> <p>Direct Benefits: There are no monetary benefits associated with this regulatory action.</p>	
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	Indirect Benefits: There are no indirect monetary benefits associated with this regulatory action.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) ~\$300 for two officers of election	(b) 0.00
(3) Net Monetized Benefit	~ -\$300.00 for local electoral boards per audit board	
(4) Other Costs & Benefits (Non-Monetized)	Local electoral boards will not have the option to choose the risk-limiting audit method for the contested race.	
(5) Information Sources		

Table 1c: Costs and Benefits under Alternative Approach(es)

(1) Direct & Indirect Costs & Benefits (Monetized)	The current regulatory action is mandated by Acts of Assembly 443, from the 2022 Session of the General Assembly. The only alternative approach is to maintain the status quo.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a)	(b)
(3) Net Monetized Benefit		
(4) Other Costs & Benefits (Non-Monetized)		
(5) Information Sources		

Impact on Local Partners

Use this chart to describe impacts on local partners. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 2: Impact on Local Partners

(1) Direct & Indirect Costs &	This regulatory action impacts local electoral boards that request to conduct a risk-limiting audit of a contested race. There is a direct cost
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Benefits (Monetized)	only if the local electoral board cannot utilize existing staff members or party representatives to serve on audit boards and must hire officers of election.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) ~\$300.00	(b) 0.00
(3) Other Costs & Benefits (Non-Monetized)	Local electoral boards will have the option to choose a risk-limiting audit method that they feel is best for their jurisdiction and the contested race being applied for.	
(4) Assistance	ELECT will provide guidance and support for local electoral boards that apply for a risk-limiting audit of a contested race.	
(5) Information Sources	Previous Economic Review Form IVAC20-60-80, ELECT staff	

Impacts on Families

Use this chart to describe impacts on families. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 3: Impact on Families

(1) Direct & Indirect Costs & Benefits (Monetized)	There are no direct costs or benefits to families arising from this regulatory action.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) 0.00	(b) 0.00
(3) Other Costs & Benefits (Non-Monetized)	Local electoral board members and general registrars would have an additional workload and added stress due to the application for a risk-limiting audit. This may impact the work-life balance of these officials.	
(4) Information Sources	2022 Post-Election Report, ELECT staff	

Impacts on Small Businesses

Use this chart to describe impacts on small businesses. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 4: Impact on Small Businesses

(1) Direct & Indirect Costs & Benefits (Monetized)	There are no direct costs or benefits to small businesses arising from this regulatory action. Small businesses are not impacted or involved in the risk-limiting audit process.	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) 0.00	(b) 0.00
(3) Other Costs & Benefits (Non-Monetized)	There are no estimated indirect costs or benefits as a result of this regulatory action.	
(4) Alternatives	The current regulatory action is mandated by Acts of Assembly chapter 443, from the 2022 Session of the General Assembly. The alternative approach is to maintain the status quo.	
(5) Information Sources	Dollar amounts are not available as this does not impact small businesses. The Department of Elections staff serves as the information source.	

Changes to Number of Regulatory Requirements

For each individual VAC Chapter amended, repealed, or promulgated by this regulatory action, list (a) the initial requirement count, (b) the count of requirements that this regulatory package is adding, (c) the count of requirements that this regulatory package is reducing, (d) the net change in the number of requirements. This count should be based upon the text as written when this stage was presented for executive branch review. Five rows have been provided, add or delete rows as needed. In the last row, indicate the total number for each column.

Table 5: Total Number of Requirements

	Number of Requirements			
Chapter number	Initial Count	Additions	Subtractions	Net Change
60	28	+3	-1	+2
TOTAL		+3	-1	+2