



## Exempt Action Final Regulation Agency Background Document

<b>Agency name</b>	State Board of Elections
<b>Virginia Administrative Code (VAC) citation</b>	1 VAC20-40
<b>Regulation title</b>	Residency for Voter Registration
<b>Action title</b>	Adopted amendment to regulation on residency for voter registration to conform to Virginia Administrative Code style conventions and add clarifying definition of address.
<b>Final agency action date</b>	11/22/2010, effective when precleared
<b>Document preparation date</b>	12/1/2010

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

As required by Va. Code § 24.2-406(D), the State Board of Elections in 2009 adopted and secured preclearance for a regulation on determining residency for voter registration. This regulation was published on the Board's website as SBE Policy 2009-005 with approved correspondence before the Board in 2010 adopted procedures for using the Virginia Regulatory Town Hall and Administrative Code for adopting regulations. Using the approved procedures, the Board adopted the previously approved regulation with stylistic changes to conform to Virginia Administrative Code technical specifications. A clarifying definition of address was also adopted to provide guidance and assure uniform treatment of applicants requesting exclusion of residence addresses from published voter lists under § 24.2-418.

### 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.*

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The State Board Elections at its meeting on November 22, 2010, approved the regulation titled Residency for Voter Registration and directed that the regulation be submitted for preclearance as required by § 5 of the Voting Rights Act before the regulation takes effect.

### Family Impact

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

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The adopted regulation assures uniform application of statutory provisions allowing certain registration applicants and members of their household to request exclusion of their residence addresses from published lists.