



Exempt Action Final Regulation Agency Background Document

Agency name	State Board of Elections
Virginia Administrative Code (VAC) citation	1VAC20-70
Regulation title	Material Omissions from Absentee Ballots
Action title	Replace Board policy 2008-006 with a current regulation detailing what errors or omissions on the Envelope B required by Va. Code § 24.2-706 must render an absentee ballot invalid.
Final agency action date	11/22/2010, effective when precleared
Document preparation date	11/23/2010

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.

This regulation replaces existing Board policy 2008-006 addressing substantial compliance for absentee ballots. The regulation adopted by the Board defines what errors and omissions must be considered material and those that are not.

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.

The State Board Elections at its meeting on November 22, 2010, approved the regulation titled Material Omissions from Absentee Ballots 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.

Enter statement here

Periodic review

If this final regulation is not the result of a periodic review of the regulation, please delete this entire section. If this final regulation is the result of a periodic review, please (1) summarize all comments received during the public comment period following the publication of the Notice of Periodic Review, and (2) indicate whether the regulation meets the criteria set out in Executive Order 14 (2010), e.g., is necessary for the protection of public health, safety, and welfare, and is clearly written and easily understandable.

Commenter	Comment	Agency response

Enter statement here