



★ VIRGINIA ★
DEPARTMENT *of* ELECTIONS

Chapter 1
Governance
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1. Governance

1.1 GOVERNING BODIES

The State Board of Elections and the Department of Elections provide oversight, guidance, and uniformity for county and city electoral boards and general registrars.¹

Note: Throughout this section the phrase "local governing body" refers to the board of supervisors of a county or the council of a city unless otherwise specifically indicated.

1.2 ELECTORAL BOARD

The electoral board is responsible for the proper and orderly conduct of all elections held in the locality.

Opinions of the Attorney General recognize the role of electoral boards as comparable to constitutional officers in requiring autonomy to achieve their constitutionally assigned mission. While the electoral board can be required to conform to local purchasing procedures, local policies may not interfere with the electoral board's determination of what is essential to carry out its election law responsibilities to supervise local elections, including the general registrar assigned to their supervision.²

Please note: The Department of Elections cannot authorize the payment of any compensation to any member of the electoral board until they comply with certain requirements set forth herein.

1.2.1 Organization

Each electoral board consists of three appointed members who serve on a staggered term basis for three year terms starting March 1.³ This ensures that a majority of the electoral board is familiar with election procedures.

¹ [Va. Code § 24.2-103](#).

² 1983 Op. Va. Att'y Gen. 143.

³ Va. Code [§ 24.2-106](#).



1.2.1.1 *Term of office*

Every year, one member of the electoral board in each county or city is appointed (or re-appointed) for a three-year term beginning on March 1 of that year. Three years after the appointment, the term expires at midnight on the last day of February.⁴ Members can serve an unlimited number of terms. Any order of appointment to the electoral board that specifies a term expiration date other than the last day of February (orders specifying March 1 are construed to mean midnight on the last day of February) has not been entered in accordance with law and should be corrected. Your local government attorney can assist with contacting the circuit court if needed.

In each county or city, an appointment to the electoral board is determined by a majority of the circuit judges of the judicial circuit. If a majority of the judges cannot agree, the senior judge makes the appointment. The judges act upon the nominations made by the political parties.⁵

If a member of the electoral board dies or resigns during her term, the judges must make an interim appointment for the remainder of the unexpired term. In the case of a temporary absence or disability of an electoral board member, the senior judge appoints a temporary member on a meeting-to-meeting basis. This temporary member must meet all of the same qualification requirements as a regular member.⁶

1.2.1.2 *Disqualifications and Incompatible Activities*

There are specific disqualifications and incompatible activities prohibiting an individual from being appointed, or continuing to serve, as an electoral board member.

Disqualifications based on family relationships are as follows⁷:

- The spouse of an electoral board member or the general registrar for the city or the county
- The parent, grandparent, sibling, child or grandchild of an electoral board member or general registrar of the city or county, or the spouse of any such person
- The spouse of a grandparent, parent, sibling, child, or grandchild, of a candidate for or holder of an elective office filled in whole or in part by any voters within the jurisdiction of the electoral board

There are two types of incompatible activities: governmental and political:

- An employee of the government of the United States

⁴ [§ 24.2-106](#).

⁵ *Id.*

⁶ Va. Code [§ 24.2-106](#).

⁷ *Id.*



- An employee of the Commonwealth of Virginia
- An employee of any County, City or Town
- An individual holding an office or post, under any of the above governmental units, for which he is paid (other than reimbursement of actual expenses)
- Any elective officeholder of the United States, Virginia state or local government⁸
- A candidate for any elective office to be filled in whole or in part by the qualified voters of his county or city
- The chairman of a state, local, or district level political party committee
- A paid worker in the campaign of any candidate for nomination or election to an office that is on the ballot anywhere in the locality⁹

Acceptance of an incompatible position during a term automatically vacates the office. Likewise, taking the oath as a member of the electoral board automatically vacates any incompatible office or post, and the new electoral board member should immediately notify the appointing authority that they have vacated their previous post. Any incumbent electoral board member who accepts an incompatible position should immediately notify the judges of the Circuit Court that the office has been vacated and that a new appointment for the remainder of the unexpired term is necessary.

Attorney General opinions interpret the incompatible activities provisions. With respect to governmental activities, one gray area is determining what constitutes an “office or post of profit or emolument.” 1983 AG Lexis 174 identifies serving as a commissioner in chancery as incompatible for this reason.¹⁰ Other opinions identify the following governmental positions and employment as incompatible:

- Part-time General Assembly employee¹¹
- Substitute teacher¹²
- Candidate Board of Supervisors¹³
- Director Industrial Development Authority¹⁴

⁸ [§ 24.2-119](#).

⁹ [§ 24.2-106](#).

¹⁰ See also [§ 47.1-19\(C\)](#) (disallowing fees for acting as a notary).

¹¹ 1983 AG Lexis 172.

¹² *Id.*

¹³ Va. Code [§ 24.2-106](#).

¹⁴ 1982 AG Lexis 234.



- Board of Zoning Appeals member¹⁵
- Registrar¹⁶

A person who is appointed to a government board or commission and who serves without any compensation, or who receives only reimbursement for actual expenses incurred in the conduct of the duties as a member of that other entity, may serve.¹⁷

With respect to political activities, an important [2003 Attorney General opinion](#) provides the interpretative framework identifying the following as prohibited¹⁸:

- The chairman of a state, local, or district level political party committee
- A paid worker in the campaign of any candidate for nomination or election to an office that is on the ballot anywhere in the locality
- Petition circulator or assistant in building owned or leased by city or county served.¹⁹

The 2003 opinion also recognizes there is no prohibition on *volunteer* political activity by electoral board members other than chairing a state, local or district committee.

1.2.1.3 Party Representation

Two members of the electoral board represent the political party that received the highest number of votes in the last preceding gubernatorial election. One member of the electoral board represents the party that received the next highest number of votes. If the Governor was not elected as the candidate of a party, representation is given to the parties having the highest and next highest number of members in the General Assembly at the time of the appointment.²⁰

¹⁵ 1971 AG Lexis 119.

¹⁶ 1971 AG Lexis 449.

¹⁷ An Attorney General opinion dealing with a similar prohibition indicates a fixed per diem may be waived to allow service. Op. Va. Att’y Gen. 89-52.

¹⁸ Some editions of the Code of Virginia in Article II, § 8 contain an erroneous annotation to a superseded Attorney General opinion concerning prohibited political activities. The correct annotation appears under Va. Code [§§ 24.2-106](#) and [24.2-110](#) and the official opinion is available [online](#).

¹⁹ Va. Code [§ 24.2-106.1](#).

²⁰ See [§ 24.2-106](#); see also [VA Const. art. II, § 8](#).



The terms of incumbent members are not interrupted to meet this requirement when the newly elected Governor is of a different party than the previous Governor. Rather, electoral board representation regularly changes as the terms of incumbent members expire and new appointments are made, or when an interim appointment is necessary for an unexpired term. The first appointment (however occurring) for a seat previously held by a member representing the previous Governor's party must be given to the new Governor's party.²¹

In making an appointment to fill a vacancy for an unexpired term, the court must determine the appointee's eligibility and, to the extent practicable, maintain the adequate representation of political parties.²² The political party entitled to make recommendations must submit a list to the circuit court recommending at least three qualified voters of the county or city. The party must submit their recommendations for a full-term appointment by January 15. For a vacancy, recommendations must be submitted within 30 days of the date of the death or resignation of the departing member. If a party fails to meet these deadlines, the judges make an appointment without the recommendations. Further, while there is nothing to prohibit the party from indicating which of the persons recommended it would prefer, neither are the judges required by law to appoint any of the persons recommended.

The chair and secretary must represent different political parties unless the minority member declines the unfilled position in writing.²³

The judges shall promptly make such appointment after the earlier of (i) receipt of the political party's recommendation or (ii) January 15 for a full term or the thirty-day period expires for a vacancy appointment.

1.2.1.4 Oath of Office

Before entering any term or performing any duties, any newly appointed or re-appointed member of the electoral board must take and sign the oath of office.²⁴ Any judge or the Clerk of the Circuit Court may administer the oath.²⁵

The signed oath must be filed with the Clerk of Circuit Court and a copy of it placed with the secretary of the electoral board.²⁶ The Constitution requires this oath and failure to take it before serving is punishable by a fine of not less than \$100 or more than \$1,000.²⁷

²¹ Op. Va. Att'y Gen. (June 26, 2014),

<http://www.oag.state.va.us/Opinions%20and%20Legal%20Resources/Opinions/2014opns/index.html>.

²² See [2013 Va. Act. Ch. 409](#) (relating to temporary appointments).

²³ Va. Code [§ 24.2-106](#).

²⁴ [Va. Const. art. II, § 7](#).

²⁵ [§ 49-3](#).



1.2.1.5 Training

Each member of each electoral board must attend the annual training program provided by the Department of Elections in the first year of their initial appointment and in the first year of any subsequent reappointment.²⁸ The local governing body is required to pay or reimburse the reasonable expenses and mileage costs for at least one member incurred in attending this training. The Department of Elections will annually reimburse the locality for the mileage of at least one board member attending training to the extent of funds appropriated for this purpose.²⁹

Communication Tip

The Department of Election primarily communicates through email, sending regular information and updates. Electoral board members who do not have an email address are encouraged to acquire one.

A great deal of general information about elections can be found on Department of Election's website.³⁰ This is an excellent source of basic information about the electoral process in Virginia. The site also provides access to information specifically intended to assist registrars and electoral board members in their duties, including electoral forms, policies, and procedures on a wide range of subjects. Training materials from the training sessions for registrars and electoral board members can also be accessed electronically when needed. Contact your registrar or the Department of Elections for details about how to access reference materials.

²⁶ [§ 24.2-120](#)

²⁷ [§ 49-11](#); see [HB88](#).

²⁸ [§ 24.2-106](#).

²⁹ [§ 24.2-108](#).

³⁰ www.elections.virginia.gov.



1.2.1.6 Meetings in General

Electoral board meetings must be conducted in accordance with the requirements of the Virginia Freedom of Information Act (FOIA).³¹ The local government administrator or attorney must provide a copy of FOIA to each electoral board member within two weeks following his appointment or reappointment.³² The current, complete act can be printed or downloaded from the website of the [Virginia Freedom of Information Advisory Council](#). FOIA requires all members of the board to "read and become familiar with the provisions" of the Virginia Freedom of Information Act.³³ FOIA meeting and notice requirements are discussed in more detail later in this chapter.

No person present at a meeting of the electoral board may disrupt the meeting. At the discretion of the electoral board, interested persons may offer comments during the meeting upon recognition for such purpose by the Chairman. The electoral board should set aside time after each agenda item or at the beginning or end of the meeting for brief comments from interested persons. An announcement should be made at the beginning of each meeting as to the procedure adopted by the electoral board.

Common Meeting Tips and Procedures

- To eliminate disruptions, the electoral board can set aside comment sessions after each agenda item, and/or at the beginning or end of the meeting to allow those interest to speak. The election board should announce the adopted procedure at the beginning of each meeting.
- These speakers must be recognized by the Chairman.

The Secretary is responsible for keeping an accurate account of all electoral board proceedings in a minute book, including all appointments and removals of general registrars and officers of election. Two members constitute a quorum.³⁴

³¹ See Va. Code §§ 2.2-3700 - 2.2-3714.

³² § 2.2-3702.

³³ § 2.2-3702.

³⁴ § 24.2-107.



Minutes, books, papers, and records of the electoral board must be open to public inspection and copying either at the electoral board's office (if applicable) or the office of the general registrar, whenever such office is open for business. Minutes must also be available online on the website of the electoral board or the official website for the county or city.³⁵ The electoral board must provide copies of its records available for public inspection for a fee not to exceed that charged by the circuit court clerk under [§ 17.1-275\(A\)\(8\)](#). [The Virginia Freedom of Information Act \(FOIA\)](#) discusses what books, papers and records of the electoral board are open to public inspection and copying under this section.

1.2.1.7 Required Meetings

The electoral board of each city and county is annually required to meet during the first week in February to appoint officers of election and the month of March at the time set by the electoral board and at any other time on the call of any electoral board member.³⁶ Also, each electoral board is required to meet at the clerk's office or the registrar's office of their appointed county or city on the day after the election for the purpose of ascertaining the results of the election.³⁷ The electoral board may adjourn to another room in a public building for this purpose. Additionally, they may adjourn from day to day as needed, not to exceed seven calendar days from the date of the election.³⁸

At its March meeting, the electoral board elects a chairman, vice chairman and secretary immediately following the appointment (or re-appointment) of a member to a new term. The electoral board must also meet to reorganize following a member's appointment to fill a vacancy in an unexpired term.

In the year in which the term of the general registrar expires (2007 and every fourth year thereafter), the Code directs the board to meet in May or June to appoint or reappoint a general registrar for a four-year term to begin that July 1.³⁹

At its regular meeting in the first week of February, each electoral board appoints officers of election.⁴⁰ Their terms of office begin on March 1 following their appointment and continue for a maximum of three years or until their successors are appointed.⁴¹

³⁵ [§ 24.2-107](#); see [SB89](#).

³⁶ [§ 24.2-107](#). [2013 legislation](#) amends [§ 24.2-107](#) to require the February meeting in years the terms of officers expire requiring new appointments under [§ 24.2-115](#).

³⁷ [§ 24.2-671](#).

³⁸ [§ 24.2-671](#); see also [§ 24.2-653](#) (providing provisional ballot meeting instructions).

³⁹ [§ 24.2-110](#).

⁴⁰ [§ 24.2-107](#).

⁴¹ [§ 24.2-115](#).



1.2.1.8 Notification of appointments to the Department of Elections

After the electoral board has met and elected its officers, the Secretary must immediately notify the Department of Elections of any change in membership or offices of the electoral board members. Furthermore, the Secretary is responsible for keeping the Department of Elections informed of the names, residence, mailing addresses, and home and business telephone numbers of each electoral board member.⁴² It is also important to inform Department of Elections of the email address, party affiliation, year in which term expires, and office held for each member.

Important VERIS Directory Information:

- The Secretary notifies the Department of Elections via email (VERIShelp@elections.virginia.gov) when the general registrar updates the electoral board information in the VERIS Directory.
- The information must be entered or changed in VERIS *immediately following* the electoral board’s reorganization meeting. This is to assure that no election-related document or information is forwarded to a person who is no longer serving on your electoral board.
- It is extremely important that the information in the VERIS Directory be kept current, as that is the source for Department of Election’s contact information on board members.

- ① It is only after the receipt of this information that any annual compensation is authorized by the Department of Elections to be paid to any member.

Electoral board information may be recorded in *Certificate of Eligibility for Appointment to Electoral Board* ([ELECT-119](#)). The original completed form with all information requested should be retained in the records of the electoral board with the orders appointing members. A copy may be given to the general registrar to update the VERIS Directory each time any change is made in the electoral board’s membership. This will assure that Department of Election’s records are always up-to-date. The form itself is not forwarded to Department of Elections.

1.2.1.9 Acting Secretary

It is essential at all times that one member of the electoral board serve as secretary to ensure that the board performs the necessary administrative duties.

⁴² [§ 24.2-106](#).



At any time that the secretary is incapacitated in such a way that makes it impossible for the secretary to carry out the duties of the position, the board may designate one of its other members as acting secretary. This designation must be made in an open meeting and recorded in the minutes of the board. Should the member elected as secretary die, resign, or become incapacitated in such a way that makes it impossible for that person to carry out the duties of the position, the electoral board may elect another of its members acting secretary until such time as a new member is appointed and the electoral board meets to reorganize.⁴³

The minutes of any board meetings held during such time and any required official documents must be signed accordingly.

The annual compensation paid to any member shall not be affected by the member's temporary election as acting secretary.

1.2.1.10 Absences

Any electoral board member who does not participate all day Election Day and/or for the canvass the following day should provide written or email notice to the Commissioner or Deputy Commissioner of Department of Elections. The notice should also be sent for any electoral board member who has missed more than two meetings of the electoral board during the calendar year. In the future if an electoral board member misses more than two meetings, this notice is due within a week following the third absence.

Each jurisdiction's general registrar and electoral board secretary are individually responsible for ensuring that the Department of Elections is provided the required notification. If an electoral board member or general registrar is absent due to unforeseen circumstances, the responsible person present, or staff, must send this notification. Notification should be in advance for any foreseeable absence.

In the event that any board member becomes unable to serve for an extended period of time, but expects to return to the board at a later time, the remaining members may request that the Court appoint a temporary member to ensure that the work of the board can go forward in an efficient and bi-partisan manner. If necessary for a quorum (two members) due to a member's temporary absence or disability, the senior circuit judge may to appoint temporary members on a meeting to meeting basis; the temporary appointee is subject to the same qualification requirements as a regular member and must maintain party representation if practicable.⁴⁴

⁴³ [§ 24.2-106](#).

⁴⁴ [§ 24.2-106](#), [§ 15.2-1503](#).



1.2.2 Compensation and Expenses

See [Fiscal Operations](#) (containing additional details regarding compensation and reimbursement of expenses).

1.2.2.1 *Authorized Annual Compensation*

The governing body of each county or city is required to pay the compensation, expenses, and mileage to their general registrar and electoral board members in accordance with the compensation and expense plan set forth in the [General Appropriations Act](#).⁴⁵ The authorized salary rates are computed annually using the most recent population estimates from the [University of Virginia's Weldon Cooper Center for Public Service](#).

Compensation is authorized from March 1 through the last day of February of the following year to coincide with the terms prescribed by law for electoral board members.

In recognition of the additional administrative duties imposed on the member elected secretary, the plan affords compensation for other members of one-half that prescribed for the secretary.

The Appropriations Act does not authorize local governing bodies to supplement the annual compensation of any member of the electoral board other than a full-time secretary of the electoral board.

The governing body of any county or city may pay the secretary of its electoral board an additional allowance for expenses, as it deems appropriate. However, the Department of Elections will not reimburse the locality for any supplemental compensation or additional expense allowances.

1.2.2.2 *Notice of Compensation Authorized*

The Secretary must notify the Department of Elections when any electoral board member dies, resigns, or is not reappointed and the date on which any newly- appointed electoral board member takes office. The newly constituted electoral board must meet and elect officers as quickly as possible.

⁴⁵ [§ 24.2-108](#), [§ 24.2-111](#).



Immediately following the appointment of any new or returning member, the secretary must notify the Department of Elections about the reorganization of the electoral board. The Department of Elections will then notify any member whose compensation is affected by the reorganization of the electoral board, the general registrar, and the local governing body of the compensation authorized to be paid. Department of Elections will also give notice of any change in compensation required as of July 1 each year due to population growth, population increases resulting from annexation or consolidation, or compensation increases that might be authorized by a newly enacted Appropriations Act. The Department of Elections Fiscal Department can answer questions and help locate forms needed. Contact fiscal@elections.virginia.gov.

1.2.2.3 *Payment of Annual Compensation*

The general registrar must prepare and submit to the local fiscal officer the document that activates payment of compensation to each electoral board member. The procedures to be used are set forth below. *Request for Payment of Electoral Board Compensation*⁴⁶ must be used for this purpose if the county or city does not prescribe an alternative form to be used.

If the county or city administration already has a payment schedule in place which provides for the regular payment of compensation at least once each month to each electoral board member, that schedule and its accompanying procedures must continue to be followed. If there is no local procedure, two options are available:

- A form may be submitted to the fiscal officer on the first working day of each month for payment by the last working day of the month.
- A form may be submitted to the fiscal officer on the first working day of February, June, and October for payment by the last working day of the submission month.

All members of the electoral board must be paid on the same schedule. No compensation should ever be paid in advance of the period for which it is paid. Newly appointed electoral board members should check with the general registrar as to the payment schedule in effect.

⁴⁶ [ELECT-108\(1\)](#).



1.2.2.4 *Mileage and Expenses*

The local governing body is required to pay to each member, when on official business of the electoral board, mileage at the same rate as authorized for members of the General Assembly.⁴⁷ It must also pay any electoral board member's expenses that are authorized in the Appropriations Act and sufficiently funded.

Prior to receiving any payment for mileage or reimbursement for expenses, the member requesting such payment must provide to the local governing body a statement of his claim for such mileage and expenses.

These requests should include the date the mileage was incurred, the points between which the travel occurred, the purpose of the travel, the number of miles traveled, the rate to be paid per mile, and the amount requested. *Electoral Board Request for Mileage Reimbursement* form⁴⁸ can be used if the locality does not have its own form for this purpose.

Such statements for expenses should include the date the expense was incurred, a brief description of the expense and the reason for it.⁴⁹

1.2.2.5 *Reimbursement to Local Governing Body*

The Department of Elections reimburses each local governing body once each year for up to the full amount of the annual compensation authorized and paid to the general registrar and members of the electoral board. The State no longer reimburses mileage. Final reimbursement amounts depend on sufficient available funding. Reimbursement requests may be reduced if the total amount of all requests exceeds the total amount authorized by the Appropriations Act. More detailed information is available on the Locality Reimbursement Application form and instructions available from the Department of Elections Fiscal staff.

The Department of Elections provides the reimbursement application forms to local fiscal officers each March. All such reimbursements are made to the extent that funds are appropriated and available. Reimbursement is based on a fiscal year of March 1 through the last day of February to coincide with electoral board members' terms of office. Therefore, the locality should be prepared to document compensation for each electoral board member based on the twelve months of March through February.

⁴⁷ [§ 24.2-108](#).

⁴⁸ [ELECT-108\(2\)](#)

⁴⁹ See *Electoral Board Request for Expense Reimbursement* form ([ELECT-108\(3\)](#)).



1.2.2.6 *Operating Expenses*

The local governing body is required to furnish all necessary postage and office supplies needed by the electoral board to carry out its duties, such as keeping minutes.⁵⁰

The local governing body is required to pay the cost of conducting all elections other than town elections.⁵¹

The local governing bodies of towns are required to pay the cost of conducting town elections.⁵² The county bills the town for the election cost the county incurs for administering the town election. The town does not pay any part of the compensation or mileage paid to electoral board members or compensation paid to the general registrar. The state reimburses the county or city for these items to the extent authorized in the Appropriations Act.

Electoral Board Budget Tips

- The electoral board, in accordance with the local governing body's requirements, should determine its operating needs and submit a realistic budget proposal to that body with justifications for the funds requested.
- Generally, it is easier to combine the operating expenses for the electoral board and registrar's office and submit them as one budget.
- However, if the locality prefers, separate budgets may be submitted.
- If it is unclear that a particular election will be held (e.g., a possible special election or primary), the electoral board should estimate its cost if held and advise the local governing body of the potential need.

Funding for election operations must be sufficient for necessary office operations as well as the expenses of running voter registration and elections. Any problems obtaining sufficient funding for election administration should be brought to the attention of the Commissioner of Elections or Deputy of the Department of Elections for assistance. Training is also an important component of necessary operations. The locality, at a **minimum**, must provide sufficient funding for the general registrar and one member of the local electoral board to attend the Department of Elections annual training.⁵³

⁵⁰ [§ 24.2-108.](#)

⁵¹ [§ 24.2-600.](#)

⁵² [§ 24.2-600.](#)

⁵³ [§§ 24.2-106, 24.2-111.](#)



Bills for operating expenses of the electoral board, including any items purchased for the conduct of the elections, should be submitted directly to the local governing body for payment to the vendor. Such items should never be submitted as personal expenses of a member.

1.2.3 Minutes and Other Board Records

Virginia law provides detailed record keeping requirements for electoral boards, including requirements that certain records be kept with the electoral board’s minutes. The GS-01 Library of Virginia Records Retention Schedule for Local Election records implements these requirements consistent with the Virginia Public Records Act and federal law.⁵⁴

2016 amendments have changed where records are kept. The following is a partial table of important electoral board records and where to keep them:

Minutes:	Other Board Records:
Certificates of person affixing electoral board seal to ballots and of electoral board or general registrar representative who witnesses affixing of seal ⁵⁵	Certificate of number of ballots delivered to electoral board ⁵⁶

⁵⁴ See [§ 42.1-76](#); [42 USC 1974](#); see also [The Virginia Freedom of Information Act \(FOIA\)](#) (containing information about access, copying and retention requirements for voter registration and election records).

⁵⁵ Va. Code [§ 24.2-619](#).

⁵⁶ [§ 24.2-618](#).



Copies of abstracts of results ⁵⁷	Oaths of ballot printers and electoral board <i>or</i> general registrar representatives who witness ballot printing ⁵⁸
All electoral board meeting minutes ⁵⁹	Store the original of each ballot (including machine ballots) with the general registrar
	Originals of abstracts of results ⁶⁰
	Board member and registrar oaths of appointment ⁶¹

The general registrar annual performance review must be stored separately as a confidential personnel record exempt from public disclosure.⁶²

Best practice suggestion:

- Place records kept with minute book in a file folder labeled “Annex to Minutes” for retention with election related records after expiration of litigation period as provided in GS-01.

For each calendar year, establish a folder labeled “Electoral Board Records” and another folder labeled “Electoral Board Correspondence.” Separate the latter folder into “internal correspondence (i.e. communications between the electoral board and the Department of Elections and registrar) and “external correspondence” (i.e. communications with voters, voting equipment vendors, local governing body, etc.).

⁵⁷ [§ 24.2-675.](#)

⁵⁸ [§§ 24.2-616; 24.2-617.](#)

⁵⁹ [§ 24.2-107.](#)

⁶⁰ [§ 24.2-675.](#)

⁶¹ [§ 24.2-120.](#)

⁶² [§ 2.2-3705.1.](#)



1.2.3.1 *Records Access*

The records of the electoral board are required to be open to public inspection and copying so long as the office of the general registrar is open, which is generally located at the office of the general registrar or office the board.⁶³ 2014 legislation clarifies that public records of the electoral board can also be copied. Further, the general registrar determines a reasonable charge to exact for the copying, which cannot exceed that charged by the circuit court clerk.⁶⁴

No records that contain any candidate or voter social security numbers can be inspected or copied by anyone other than the individual candidate or voter.⁶⁵ Moreover, no records provided for public inspection may contain an individual's day and month of birth. When a public document contains such social security numbers or day and month of birth, this information must be covered up (redacted) before the document can be shown or copied. Information may be provided pursuant to a court order or to provide information about election related offenses to a Commonwealth's attorney.⁶⁶

In no case are the official records of the electoral board to be kept in the home or private office of any member. Records may be copied and the copies so kept if necessary or desired for the convenience of any member.

1.2.3.2 *Records Retention*

The [Library of Virginia GS-01](#) Records Retention and Disposition Schedule for Local Election Records in your office were jointly issued by Department of Elections and the Library of Virginia to implement federal and state retention requirements for voter registration and election records.⁶⁷

⁶³ [§ 24.2-107](#).

⁶⁴ [§ 24.2-107](#).

⁶⁵ [§ 2.2-3806](#); see [§ 24.2-107](#).

⁶⁶ [§ 24.2-1019](#); see [The Virginia Freedom of Information Act \(FOIA\)](#); contact Department of Elections staff for assistance if needed.

⁶⁷ See [The Virginia Freedom of Information Act \(FOIA\)](#).



The schedule is a guide to determine whether records are permanent or nonpermanent. The Library of Virginia provides archival storage for selected permanent records. Each disposal of nonpermanent public records must be reported to the Library of Virginia on a specific form approved by a designated records officer on file with the Library of Virginia.⁶⁸ The Library of Virginia retains the original signed Form RM-3 for 50 years; the local records officer is responsible for retaining a copy of the signed form submitted to the Library for three years.⁶⁹

- ❗ The Library of Virginia no longer provides microfilming service for electoral board minutes. The Library will store, without charge, minutes that have been microfilmed at the locality's own expense.

If any election contest or recount is pending at the expiration of the stated retention period, all records and materials must be retained until the contest or recount is concluded and the appropriate authority has determined the election results.

1.2.4 Voting Equipment Security

Maintaining the security of voting systems is a vital part of the electoral board's task in assuring the integrity and purity of elections. The Department of Elections has adopted guidelines to be followed in securing the machines, software, and hardware used in the conduct of elections. Electoral boards are required by the Code to complete security plans.⁷⁰

1.2.5 Duties of Electoral Boards

The duties of electoral boards are many and varied; they are mentioned almost 400 times in the Code of Virginia. There is no codified list of duties, other than a small section stating that general duties include the preparation of ballots, administration of absentee ballot provisions, conduct of the elections, and ascertainment of results of the elections.⁷¹

⁶⁸ See Library of Virginia [Form RM-25](#), Records Officer Designation and Responsibilities Form, [Form RM-3](#), Certificate of Records Disposal.

⁶⁹ See [Error! Reference source not found.](#); see also [Library of Virginia website](#).

⁷⁰ See [Error! Reference source not found.](#)

⁷¹ Va. Code [§ 24.2-109](#).



Below is a list of the main, on-going duties of electoral boards. It is not exhaustive. It does not include some activities that are optional for electoral boards such as conducting simulated elections. Nor does it include many activities and duties that would only arise in special circumstances such as upon the death of a candidate. A detailed list of the statutory responsibilities of electoral board members can be found in SharePoint.

In general, the duties outlined below are the responsibilities of the whole electoral board; in some cases, they are responsibilities specifically assigned to the electoral board secretary. Some of these duties may be delegated to the registrar. Such delegation should be in writing and recorded in the minutes of the board. The electoral board remains legally responsible for any statutory responsibility delegated to the registrar. Duties are grouped according to subject area. As discussed in [1.3](#), the core supervisory functions of the electoral board such as protecting ballots, appointing officers and evaluating the general registrar, cannot be delegated.

1.2.5.1 Duties Related to General Organization

- Electoral board members must take the oath of office.⁷²
- The secretary must notify the Department of Elections of any changes in board membership or positions.⁷³
- The electoral board must provide any information requested by the Department of Elections.⁷⁴
- The secretary or chair of the electoral board may request official advisory opinions from the Attorney General related to the discharge of the electoral board's duties.⁷⁵
- At least one member of each electoral board must attend the annual training provided by the Department of Elections.⁷⁶

⁷² [§ 24.2-120.](#)

⁷³ [§ 24.2-106.](#)

⁷⁴ [§ 24.2-103.](#)

⁷⁵ [§ 24.2-505.](#)

⁷⁶ [§ 24.2-106.](#)



1.2.5.2 Duties Related To Registrars

1.2.5.2.1 The Electoral Board Must Appoint the General Registrar

Starting in May or June of 2007, and every four years after, the electoral board for each county and city meets to appoint the general registrar.⁷⁷ The appointment is for a four-year term beginning July 1 of the year of appointment. The electoral board fills any vacancy for the remainder of an unexpired term.⁷⁸ The appointment is for this specific term and is not subject to local grievance procedures. The electoral board is not required to advertise the availability of this appointive position if the incumbent general registrar will be reappointed. If the general registrar is not to be reappointed, the electoral board should, at a minimum, advertise the position in a local newspaper. The electoral board may seek the assistance of the locality's human resource personnel to draft an advertisement, screen applications, and develop an interview format. Please see the appendix [1.5](#) for more information.

All applicants should complete an Application for Employment form as provided by the locality's human resource personnel. The electoral board should screen the applications and choose several top candidates, and meet to interview those selected. If a member of the electoral board applies for the position of general registrar, that board member should not participate in any part of the selection process. If that member applying is the board secretary, the board may wish to designate one of the remaining two members as "acting secretary."

See the appendix [1.5](#) for sample interview questions.

- ① The Freedom of Information Act allows the electoral board to conduct the interviews in executive session.⁷⁹

Technology requirements should be reviewed when considering qualified applicants. Applicants should be comfortable working with computer software including email, calendar, word processing, spreadsheets, etc. The electoral board must vote in public session to appoint the best-qualified applicant. By law, a decision not to reappoint or to appoint, a general registrar cannot be based on race, sex, age, religion, national origin, or political party affiliation. These procedures will help avoid claims that the selection was discriminatory on some unlawful basis.

⁷⁷ [§ 24.2-110](#).

⁷⁸ *Id.*

⁷⁹ See [Error! Reference source not found.](#) (containing requirements for closed meetings generally, and for job interviews in particular).



The appointed general registrar must be a qualified voter of the jurisdiction at the time of the appointment. Someone who moves into the area may be appointed if they are a resident at the time they are sworn in. 2009 legislation amends [§ 24.2-110](#) to permit the electoral board of a city that is wholly located within one county to appoint a qualified voter of that county to serve as general registrar of the city. **This change affects only those cities that are entirely located within one county.** Assistant registrars in other localities may be good applicants and should be considered.

Prohibitions from being either general registrars or paid assistant general registrars⁸⁰

- The spouse of an electoral board member
- A parent, grandparent, sibling, child or grandchild of an electoral board member, or the spouse of such person
- An employee of the United States government, the Commonwealth of Virginia, or of any county, city, or town
- A person who holds a paid office or post under any of the above governmental units
- A person running for or holding an elected office
- A chairperson of a political party, officer of a state, local, or district level political party committee
- A paid or volunteer worker in the campaign of a candidate running for any office anywhere in his/her jurisdiction

⁸⁰ Va. Code [§ 24.2-110](#).



If the board selects a candidate who lacks a qualified residence at the time the decision is made, the candidate must establish a qualified residence before taking the oath of office. If the appointee fails to qualify and deliver a copy of his oath to the secretary of the electoral board within 30 days after receiving notification of his appointment, the electoral board shall declare the office vacant and fill the office.⁸¹ Taking the oath as registrar automatically vacates any incompatible office or post, and the new general registrar should immediately notify the appointing authority that they have vacated their previous post. Acceptance of an incompatible office or post by an incumbent registrar automatically vacates the registrar's office.⁸²

The electoral board will meet to select the final candidate. Immediately after its meeting, the secretary of the electoral board must certify to the Department of Elections the appointment of the general registrar (newly appointed or reappointed) using the General Registrar Certification of Appointment form.⁸³

1.2.5.2.2 Removal of the General Registrar

The electoral board may remove the general registrar from office for failure to discharge the duties of the office according to law. Each board member should carefully review [1.3](#) to become familiar with the job description and skills needed by the general registrar before making an appointment to this position.⁸⁴

1.2.5.2.3 Additional Duties

The electoral board may prescribe additional duties – beyond those prescribed in the Code – to the general registrar.⁸⁵ If this is done, the board should adopt a resolution at a meeting, which should become part of the minutes, listing those board duties that are being delegated to the general registrar to perform.

⁸¹ [§ 24.2-110](#).

⁸² *Id.*

⁸³ [ELECT-110](#).

⁸⁴ [§ 24.2-109](#).

⁸⁵ [§ 24.2-114](#).



1.2.5.2.4 Assistant Registrars

The electoral board must determine the number, and set the terms, of assistant registrars.⁸⁶ The terms set by the electoral board may not extend beyond the term of the general registrar in office at the time, but may be set to expire sooner. The general registrar appoints all assistant registrars and establishes their duties. Localities with populations over 15,500 must have at least one assistant registrar. Smaller localities must have at least one substitute registrar who can perform the general duties if necessary.⁸⁷

1.2.5.2.5 Performance Evaluation

The electoral board must conduct an annual performance review of the general registrar each year for the 12-month period ending June 30. The review must be completed by August 1 and a copy of the summary of the review submitted to the Department of Elections by the due date determined. The electoral board must retain a copy of the complete review document in their files.⁸⁸

1.2.5.3 Duties Related to Officers of Elections

- The electoral board must appoint all officers of election and designate the precinct in which each will serve.⁸⁹
- The electoral board may remove from office any officer of election who fails to perform his duties according to law.⁹⁰
- The electoral board must designate a chief officer and assistant chief officer for each precinct. Each polling place must be staffed by not less than three officers of election. The chief and assistant chief must represent different political parties. If practicable, no more than one-third may be citizens who do not represent any political party.⁹¹
- The electoral board or general registrar shall dismiss at least the chief officer, the assistant chief officer, and any other officer of election who fails to record the required information when taking voting machines to voters outside the polling place on Election Day.⁹²

⁸⁶ [§ 24.2-112.](#)

⁸⁷ [§ 24.2-112.](#)

⁸⁸ [§ 24.2-109.1.](#)

⁸⁹ [§ 24.2-115.](#)

⁹⁰ [§ 24.2-109.](#)

⁹¹ [§ 24.2-115.](#)

⁹² [§ 24.2-638.](#)



- The Department of Elections sets the training standards for the officers of election to be fulfilled by the local electoral boards and general registrars. Department of Elections policy 2010-2 establishes the training standards.⁹³
- The electoral board will certify to the Department of Elections each year before the November general election that (1) they have reviewed and updated their training plan to meet training standards, including changes in laws and instructions from Department of Elections, and (2) any officers of election trained within the last year have been trained according to these standards.
- Under 2016 legislation, the electoral board must ensure that the general registrar certify to the Department of Elections that training of the officers of election has been conducted consistent with the training standards.⁹⁴ The annual and quadrennial certifications are combined on one form and are posted in the [Forms Warehouse](#) in SharePoint.
- The Department of Elections recommends that training all new officers before each election and all officers whenever there are major procedural changes in polling place operations. The Department of Elections requires training on particular issues, such as completing Statements of Results or using electronic pollbooks, and request the electoral board to conduct special workshops. This is to help prevent problems that could require Department of Elections to take action against the electoral board.⁹⁵
- The electoral board and the general registrar are responsible for instructing any officer of election not previously instructed on voting equipment used in the precinct.⁹⁶
- An electoral board member, the general registrar, or designated officer of election must give an oath to each officer of election before the polls open.⁹⁷

⁹³ [§ 24.2-103](#).

⁹⁴ See [§ 24.2-115](#) (requiring certification).

⁹⁵ See [§ 24.2-103](#) (Department of Elections may petition court for removal).

⁹⁶ [§ 24.2-636](#); see [1.4](#).

⁹⁷ [§ 24.2-611](#).



- The secretary of the electoral board or the general registrar must post a list of all appointed officers of election in the office of the general registrar. Whenever substitute or additional officers are appointed, the secretary or the general registrar must promptly add the name of the appointee to the public list.⁹⁸ This list is open to public inspection in the general registrar's office.⁹⁹

1.2.5.4 *Duties Related to Polling Places*

- The electoral board is responsible for reviewing all polling places after each election to determine that there will be polling places for the next election that meet the requirements of [§§ 24.2-305](#) through [24.2-310](#).
- Under 2016 legislation, the locality is responsible for providing the funds to the general registrar to provide adequate facilities at each polling place for the conduct of the election.¹⁰⁰
- The electoral board must assist the local governing body in complying with various state and federal acts designed to ensure the accessibility of all polling places to persons with disabilities.¹⁰¹
- If an emergency makes a normal polling place unusable, the electoral board or the general registrar must provide an alternate polling place.¹⁰²
- The electoral board or the general registrar must provide and have posted at each polling place signs directing voters with disabilities and elderly voters to special accessible entrances.¹⁰³
- The electoral board or the general registrar must provide voting booths to each polling place, including at least one designed for voting paper ballots.¹⁰⁴

1.2.5.5 *Duties Related to Voter Registration*

- The electoral board may set additional hours for the voter registration office to be open.¹⁰⁵

⁹⁸ [§ 24.2-115](#).

⁹⁹ See [1.4](#) for details.

¹⁰⁰ [§ 24.2-310](#).

¹⁰¹ [§ 24.2-310](#).

¹⁰² See [§ 24.2-310](#); see also [Error! Reference source not found.](#) (containing details regarding qualifying emergencies and approval procedures).

¹⁰³ [§ 24.2-604.1](#).

¹⁰⁴ [§ 24.2-609](#); see [Error! Reference source not found.](#) (explaining how to establish polling places).

¹⁰⁵ [§ 24.2-411](#).



- The electoral board must approve any agreement for ongoing registration sites at businesses or other governmental agencies.¹⁰⁶
 - The electoral board may set additional occasional registration sites.¹⁰⁷
 - The electoral board, along with the general registrar, should ensure that all permanent registration sites comply with various state and federal acts designed to ensure the accessibility of all polling places to persons with disabilities.¹⁰⁸
- i** Changes in hours and locations of official voter registration sites staffed with a government employee are subject to notice requirements¹⁰⁹

1.2.5.6 Duties Related to Candidate Qualifications

- If requested by a candidate, the electoral board must notify the candidate of any deficiencies in his declaration of candidacy or his petitions.¹¹⁰

1.2.5.7 Duties Related to Primaries and Special Elections

- The secretary must post or publish any notice of a primary that is received from the Department of Elections or other appropriate authority.¹¹¹ 2012 legislation allows a website posting.
- The electoral board must notify the locality's treasurer or director of finance if any candidate is running unopposed in a primary, so that the candidate's filing fee may be returned.¹¹²
- If candidates for a primary file simultaneously, the electoral board must draw lots to determine the candidates' order on the ballot.¹¹³

¹⁰⁶ [§ 24.2-412.](#)

¹⁰⁷ [§ 24.2-412.](#)

¹⁰⁸ [§ 24.2-413.](#)

¹⁰⁹ [§ 24.2-415](#); see [Error! Reference source not found.](#)

¹¹⁰ [§ 24.2-505.](#)

¹¹¹ [§ 24.2-517.](#)

¹¹² [§ 24.2-524.](#)

¹¹³ [§ 24.2-529.](#)



1.2.5.8 *Duties Related to Town Elections*

- The electoral board, along with the general registrar, must carry out elections for any town within its county and any town whose major portion is within its county. In a November election, the electoral board in a locality containing a town whose major portion is within another county must report the results ascertained for the town offices to the county in which the greatest part of the town is located.¹¹⁴

1.2.5.9 *Duties Related to Ballots*

- The general registrar must order the printing of the number of ballots he determines are sufficient for the proper conduct of the election. This number is subject to the approval of the electoral board.¹¹⁵
- The electoral board must send absentee ballots that have been requested not later than 45 days before any election, or as soon thereafter for a nonfederal special election.¹¹⁶
- The electoral board must certify its compliance with the deadline to the Department of Elections and report to SBE the number of ballots ordered. The Department of Elections issues electronic surveys for this purpose.
- The electoral board must send to the Department of Elections proofs of each ballot, and copies of each final ballot.¹¹⁷
- The electoral board, along with the Department of Elections, must design and layout each ballot according to instructions titled “Ballot Standards and Verification Procedures.”¹¹⁸
- The electoral board, along with the Department of Elections, must design and layout each ballot as prescribed in the Code of Virginia.¹¹⁹
- The electoral board or the general registrar must designate one person to be continuously present in the room where and when the ballots are being printed. If not an electoral board member, the person must be paid at least \$20 per day.¹²⁰

¹¹⁴ [§ 24.2-601.](#)

¹¹⁵ [§ 24.2-612.](#)

¹¹⁶ [§ 24.2-612.](#)

¹¹⁷ [§ 24.2-612.](#)

¹¹⁸ [§ 24.2-613.](#)

¹¹⁹ *Id.*

¹²⁰ [§ 24.2-617.](#)



- The electoral board or the general registrar must designate one of its members, or a registrar, or an employee, to receive the ballots after they are printed and certify the number received. The certificate must be filed with other election materials.¹²¹
- The electoral board or the general registrar must designate a person to affix the electoral board seal to each ballot and to sign a statement witnessing such. This statement must be filed with the board’s minutes.¹²²
- The electoral board or the general registrar must have the printed ballots sorted for each precinct with at least one electoral board member or designee of the board present.¹²³
- The electoral board must designate a member, or a registrar, or an employee, to deliver the packages of ballots to an officer of election in each precinct and obtain a receipt for the packages.¹²⁴

1.2.5.10 Duties Related to Voting Equipment

- The board must keep all ballot containers to be used in the precincts.¹²⁵
- The board must furnish properly designed and printed ballots for use on all optical scan voting equipment.¹²⁶
- The board and general registrar must employ a person or persons (called “custodians”) to set up and test each voting machine before each election. A board member or an assistant registrar may be appointed by the board or general registrar to serve as custodian without pay for that service. A board member serving as the custodian may not also serve in his capacity as a board member when both the custodian and a board member are required to be present.¹²⁷

¹²¹ [§ 24.2-618.](#)

¹²² [§ 24.2-619.](#)

¹²³ [§ 24.2-620.](#)

¹²⁴ [§ 24.2-621](#); *see* [Error! Reference source not found.](#)

¹²⁵ [§ 24.2-623.](#)

¹²⁶ [§ 24.2-640.](#)

¹²⁷ [§ 24.2-632.](#)



- A board member, an authorized representative, or the general registrar must be present at the final testing of each machine before each election. Again, if a board member is serving as custodian, another board member must be present.¹²⁸
- The board must notify appropriate local party chairs (or independent candidates for a city or town election if there are no party nominees on the ballot for any office) of the time and place that the voting equipment will be prepared and sealed and allow the persons notified to have one representative each to witness the preparation and sealing.¹²⁹
- The board must retain custody of all voting machine keys after the machines have been sealed.¹³⁰
- The board or the general registrar must deliver the keys in sealed packages to designated officers of election in each precinct before the polls open.¹³¹
- The board or the general registrar may designate times and places for demonstrating and instructing the public on the proper use of the machines.¹³²
- The board must take all necessary steps to assure the security of all voting equipment hardware, software, and firmware.¹³³

1.2.5.11 Duties Related to Election Day

- The board must ensure that the general registrar has all voting equipment, furniture, and materials at the polling places before the polls open.¹³⁴
- The board or general registrar must furnish to all polling places using electronic voting equipment, two sample ballots that must be posted for public inspection.¹³⁵
- The board must provide to each polling place a model of a portion of the machine ballot face to use in instructing voters on how to use the machine.¹³⁶

¹²⁸ [§ 24.2-632](#).

¹²⁹ [§ 24.2-633](#).

¹³⁰ [§ 24.2-634](#).

¹³¹ [§ 24.2-639](#).

¹³² [§ 24.2-635](#).

¹³³ [§ 24.2-625](#) et. seq; see [Error! Reference source not found.](#) (detailing procedures related to voting equipment).

¹³⁴ [§§ 24.2-610, 24.2-637](#).

¹³⁵ [§ 24.2-641](#); see [Error! Reference source not found.](#) (detailing election day procedures).

¹³⁶ [§ 24.2-647](#).



1.2.5.12 Duties Following the Election, Primary, or Referendum

- The board or general registrar may direct the return of all materials from the precincts to the office of the general registrar instead of the Clerk of Circuit Court. These materials must be conveyed to the Clerk of the Circuit Court by noon on the day following the electoral board's ascertainment of the results.¹³⁷
- The board must meet beginning on the day after the election to determine the official results. A determination of the provisional ballots must be conducted within 7 days of the election.¹³⁸ The board must deliver a certification of the count of these ballots, along with the actual ballots, to the Clerk of Circuit Court.¹³⁹
- The board must meet at or before 5PM on the day after the election to ascertain the results of the election. This meeting may be adjourned to another day as needed, within the 7 days.¹⁴⁰
- The board must complete, certify, and sign abstracts of results for each office or question on any ballot in the locality. It must deliver copies of these abstracts to the appropriate authorities, depending on the type of election held.¹⁴¹ Provisions for referenda can also be found in Title 15.2.
- The board must inform the Clerk of Circuit Court of any officer of election who has failed to return the election materials by the time of the board's meeting to ascertain the results.¹⁴²
- The board, along with the general registrar and the officers of election, must account for all used and unused paper ballots.¹⁴³
- If a local election results in a tie, the electoral board must draw lots to determine the winner.¹⁴⁴
- The secretary must make, and deliver, certificates of election to all winners of local offices.¹⁴⁵

¹³⁷ [§ 24.2-668](#).

¹³⁸ See [Provisional Ballots](#)

¹³⁹ [§ 24.2-653](#).

¹⁴⁰ [§ 24.2-671](#).

¹⁴¹ See e.g. [§§ 22.1-42](#), [24.2-532](#), [24.2-671](#), [24.2-675](#), [59.1-391](#).

¹⁴² [§ 24.2-670](#).

¹⁴³ [§ 24.2-666](#).

¹⁴⁴ [§ 24.2-674](#). The local electoral board conducts the drawing for county, city, town or district offices; SBE conducts the drawing for General Assembly, Congress, presidential electors.

¹⁴⁵ [§ 24.2-676](#).



See [Error! Reference source not found.](#) (detailing the process for canvassing results).

1.2.5.13 Duties Related to Absentee Balloting

- The board will be asked to certify to the Department of Elections that absentee ballots were sent to applicants by the date required by law and to provide certain information required to assure compliance with absentee voting deadlines.¹⁴⁶
- The board must make applications for absentee ballots available and accept them electronically.¹⁴⁷ The board must send absentee ballots electronically to eligible absent military and overseas voters who request.¹⁴⁸
- The board must provide a voting assistance form to any voters who indicate that they need assistance due to blindness, disability, or inability to read and write.¹⁴⁹
- The board must rule on any request for an emergency absentee ballot from an incapacitated voter where the cause of the voter's emergency incapacity is not one of the reasons specified in the Code.¹⁵⁰
- The board must make note of, and preserve, any ballot returned unused.¹⁵¹
- The board, or the general registrar, must mark the date of receipt of any absentee ballot and deposit it in an appropriate container.¹⁵²
- The board must deliver, on the day before the election, one attested copy of the final absentee applicants list to the chief officer of election for each precinct.¹⁵³
- The board must deliver, before the close of polls on Election Day, containers of absentee ballots to the appropriate precincts and obtain receipts for them.¹⁵⁴
- The secretary of the board must deliver to the Clerk of Circuit Court all ballots received after Election Day.¹⁵⁵

¹⁴⁶ [§ 24.2-612.](#)

¹⁴⁷ [§ 24.2-701.](#)

¹⁴⁸ [§ 24.2-706](#); see [Error! Reference source not found.](#) for details.

¹⁴⁹ [§ 24.2-704.](#)

¹⁵⁰ [§ 24.2-705.](#)

¹⁵¹ [§ 24.2-708.](#)

¹⁵² [§ 24.2-710.](#)

¹⁵³ [§ 24.2-710.](#)

¹⁵⁴ [§ 24.2-710.](#)

¹⁵⁵ [§ 24.2-710.](#)



- The board must approve any site for absentee balloting other than the registrar's or board's office.¹⁵⁶

Any person who fails to discharge his duty as provided in this section through willful neglect of duty and with malicious intent shall be guilty of a Class 1 misdemeanor as provided in [§ 24.2-1001\(A\)](#).

1.2.5.14 Duties Related to Recounts

- The board must supervise the review of pollbooks, machine printouts, and absentee ballots during any preliminary hearing related to a recount.¹⁵⁷
- The board must assist and advise the court on establishing procedures for a recount.¹⁵⁸
- Board members must serve as recount coordinators if so requested by the court.¹⁵⁹

1.2.5.15 Duties Related to Campaign Finance Reports

- The board is required to administer the Campaign Finance Disclosure Act.¹⁶⁰

¹⁵⁶ [§ 24.2-707](#); see also [Error! Reference source not found.](#) On June 25, 2013, the U.S. Supreme Court held invalid Section 4 of the Voting Rights Act that outlines the formula for determining what jurisdictions are covered under the Section 5 Preclearance processes. This ruling makes Section 5 dormant until such time as Congress enacts another formula for coverage that is consistent with the Constitution. The practical effect is that it is no longer necessary to preclear changes affecting voting with the Department of Justice.

¹⁵⁷ [§ 24.2-802](#).

¹⁵⁸ [§ 24.2-802](#).

¹⁵⁹ [§ 24.2-802](#); see [Error! Reference source not found.](#) (detailing the process for recounts and contests).

¹⁶⁰ See [Error! Reference source not found.](#)



1.3 GENERAL REGISTRAR

Virginia has 133 independent cities and counties, ranging in population from under 3,000 to over 1 million.¹⁶¹ Each independent city and county has one general registrar and a three-member electoral board. These four individuals are responsible for virtually all aspects of voter registration and election administration in their locality. As a full or part-time appointed official, the general registrar is typically the public face of the local electoral process.

1.3.1 Duties

1.3.1.1 Duties in general

The Code of Virginia, in general, describes the duties of the general registrar and the electoral board. The specific duties of the general registrars are mentioned throughout the Code. The most comprehensive (but not exhaustive) list can be found in [§ 24.2-114](#). This statute was amended in 2015 to recognize the increased responsibilities of the general registrar related to absentee voting and campaign finance reporting and give the general registrar the official title of “director of elections” when performing duties delegated by the electoral board. The specific Code section language should be reviewed for each of the responsibilities summarized below:

- Maintain the office of the general registrar and establish and maintain additional public places for voter registration.¹⁶²
- Participate in programs to educate the general public and encourage registration.¹⁶³
- Perform his duties within the county or city he was appointed to serve, except as noted.¹⁶⁴
- Provide the appropriate forms for applications to register and to obtain the information necessary to complete the applications pursuant to the provisions of the Constitution of Virginia and general law.¹⁶⁵
- Indicate, when appropriate, that the registrant has registered by mail.¹⁶⁶

¹⁶¹ This total excludes Bedford City which reverted to a town effective July 2013. [2014 legislation](#) concerning Martinsville adds requirement for all city council members to vote if council initiates the reversion process.

¹⁶² [§ 24.2-114 \(1\)](#).

¹⁶³ [§ 24.2-114 \(2\)](#).

¹⁶⁴ [§ 24.2-114 \(3\)](#).

¹⁶⁵ [§ 24.2-114 \(4\)](#).

¹⁶⁶ [§ 24.2-114 \(5\)](#).



- Accept registration applications and determine applicant’s eligibility to register, including checking for felony conviction and restoration of rights.¹⁶⁷
- Preserve order at and in the vicinity of the place of registration.¹⁶⁸
- Maintain the official registration records for his county or city in the voter registration system.¹⁶⁹
- Promptly notify a person in writing of the denial of their application and the reason for the denial.¹⁷⁰
- Verify the accuracy of the pollbooks provided for each election by the Department of Elections, make the pollbooks available to the precincts, and according to the instructions of the Department of Elections provide a copy of the data from the pollbooks to the Department of Elections after each election for voting credit purposes.¹⁷¹
- Retain the pollbooks in his principal office for two years from the date of the election.¹⁷²
- Maintain accurate and current registration records.¹⁷³
- Update the voter registration system to reflect changes to election districts, precincts, or polling places and notify each affected voter by mail.¹⁷⁴
- Transfer registration records of affected voters to appropriate general registrar.¹⁷⁵
- Notify the appropriate authority when a person registers who was previously registered in another state.¹⁷⁶
- Cooperate with authorities of other states inquiring about any person believed to be registered or voting in more than one state or territory of the United States.¹⁷⁷

¹⁶⁷ [§ 24.2-114 \(6\)](#).

¹⁶⁸ [§ 24.2-114 \(7\)](#).

¹⁶⁹ [§ 24.2-114 \(8\)](#).

¹⁷⁰ [§ 24.2-114 \(9\)](#).

¹⁷¹ [§ 24.2-114 \(10\)](#).

¹⁷² [§ 24.2-114 \(11\)](#).

¹⁷³ [§ 24.2-114 \(12\)](#).

¹⁷⁴ [§ 24.2-114 \(13\)](#).

¹⁷⁵ [§ 24.2-114 \(14\)](#).

¹⁷⁶ [§ 24.2-114 \(15\)](#).

¹⁷⁷ [§ 24.2-114 \(16\)](#).



- Review petitions at the request of a political party chair when nominating a candidate without a primary for state legislative, constitutional and local offices.¹⁷⁸
- Carry out such other duties as prescribed by the electoral board in the general's capacity as director of elections.¹⁷⁹
- Attend certain training programs provided by the Department of Elections.¹⁸⁰
- Make adequate advance preparations to enable prompt counting of absentee ballots before polls close on election day.¹⁸¹
- Make free photo identification available to eligible applicants according to Department of Elections instructions.¹⁸²

1.3.1.2 Duties Delegated by Electoral Boards

The statutory responsibilities for general registrar and electoral board members are enumerated in the Code of Virginia.¹⁸³

Electoral boards may delegate many, but not all, of their duties to the general registrar. Core supervisory functions such as protection of ballots,¹⁸⁴ the registrar's performance evaluation, and appointing officers of election representative of political parties and certifying election results are clearly supervisory duties that may not be delegated. The number and type of administrative duties properly delegated varies greatly from locality to locality, especially in larger localities with larger staff. Electoral boards should be mindful of the many duties that the general registrar is legally required to perform and should have an awareness of the resources available to the registrar. If the general registrar needs additional staff to perform additional duties, particularly if those duties are delegated by the electoral board, the board should work with the local governing body to obtain adequate staffing. An October 2014 Attorney General opinion to the King William Electoral Board recognizes the authority of the general registrar to hire additional staff at the locality expense when necessary.

¹⁷⁸ [§ 24.2-114 \(17\)](#).

¹⁷⁹ [§ 24.2-114 \(18\)](#). 2015 legislation added the title "director of elections" to describe the general registrar's role in performing electoral board duties reassigned to the general registrar, particularly absentee voting and campaign finance.

¹⁸⁰ [§ 24.2-114 \(19\)](#).

¹⁸¹ [§ 24.2-709.1](#).

¹⁸² [§ 24.2-404\(A\)\(3\)](#).

¹⁸³ [§§ 24.2-106, 24.2-106.1, 24.2-107, 24.2-108, 24.2-109, 24.2-109.1, 24.2-114](#)

¹⁸⁴ *Xippas v. Commonwealth*, 141 Va. 497, 126 S.E. 207 (1925) ("To hold that the electoral board may delegate its powers in any and all events would be to destroy the legislative intent in regard to the protection of the ballot.")



Any delegation of duties to the general registrar should be: (1) clearly spelled out in the meeting minutes or should be included in the job description for the general registrar, (2) adopted only after discussion with the general registrar, and (3) adopted at an electoral board meeting and included in the minutes of that meeting. Delegation to the general registrar does not absolve the electoral board of legal responsibility for management of elections.

The general registrar and electoral board should meet and develop a list of board duties that are delegated to the registrar. The general registrar and electoral board should review this list annually and determine if changes are needed. Any changes in the duties delegated to the registrar should be adopted at a public board meeting and included in the minutes of the meeting. 2015 and 2016 legislation reassigning to the general registrar many duties related to absentee voting and campaign finance should reduce the need for delegations in these areas.

*1.3.1.3 Duties Related to Officers of Elections*¹⁸⁵

2016 legislation gave the general registrar additional duties.¹⁸⁶

- The general registrar will submit a plan to the electoral board that ensures that an adequate number of trained officers of election are available to serve in each election.
- If the electoral board appoints a chief or assistant chief officer not affiliated with a political party, the general registrar must notify political parties within 10 days to allow for additional nominations.
- The electoral board or general registrar shall dismiss at least the chief officer, the assistant chief officer, and any other officer of election who fails to record the required information when taking voting machines to voters outside the polling place on Election Day.¹⁸⁷
- The electoral board must ensure that the general registrar certify to the Department of Elections that training of the officers of election has been conducted consistent with the training standards.¹⁸⁸
- The electoral board and the general registrar are responsible for instructing any officer of election not previously instructed on voting equipment used in the precinct.¹⁸⁹

¹⁸⁵ For electoral board duties related to officers of elections, see [1.2.5.3](#).

¹⁸⁶ To see the full changes in legislation, [click here](#).

¹⁸⁷ [§ 24.2-638](#).

¹⁸⁸ See, [§ 24.2-115](#) (requiring certification).



- An electoral board member, the general registrar, or designated officer of election must give an oath to each officer of election before the polls open.¹⁹⁰
- The secretary of the electoral board or the general registrar must post a list of all appointed officers of election in the office of the general registrar. Whenever substitute or additional officers are appointed, the secretary or the general registrar must promptly add the name of the appointee to the public list.¹⁹¹ This list is open to public inspection in the general registrar's office.¹⁹²

*1.3.1.4 Duties Related to Polling Places*¹⁹³

- If an emergency makes a normal polling place unusable, the electoral board or the general registrar must provide an alternate polling place.¹⁹⁴
- The electoral board or the general registrar must provide and have posted at each polling place signs directing voters with disabilities and elderly voters to special accessible entrances.¹⁹⁵
- The electoral board or the general registrar must provide voting booths to each polling place, including at least one designed for voting paper ballots.¹⁹⁶

*1.3.1.5 Duties Related to Candidate Qualifications*¹⁹⁷

- The general registrar must provide to the Department of Elections, after the filing deadline, a list of all offices to be filled and the names of all candidates who have filed for each office, including the names of any candidates who failed to qualify.¹⁹⁸

*1.3.1.6 Duties Related to Special Elections*¹⁹⁹

- The general registrar must post a copy of the writ of special election that is received from the Department of Elections.²⁰⁰

¹⁸⁹ [§ 24.2-636](#); see [1.4](#).

¹⁹⁰ [§ 24.2-611](#).

¹⁹¹ [§ 24.2-115](#).

¹⁹² See [1.4](#).

¹⁹³ For electoral board duties related to officers of elections, see [1.2.5.3](#).

¹⁹⁴ [§ 24.2-310](#); see also [Error! Reference source not found.](#) (containing details regarding qualifying emergencies and approval procedures).

¹⁹⁵ [§ 24.2-604.1](#).

¹⁹⁶ [§ 24.2-609](#).

¹⁹⁷ For electoral board duties related to candidate qualifications, see [1.2.5.6](#).

¹⁹⁸ [§ 24.2-612](#).

¹⁹⁹ For electoral board duties related to special elections, see [1.2.5.7](#).

²⁰⁰ [§ 24.2-683](#).



*1.3.1.7 Duties Related to Town Elections*²⁰¹

- The electoral board, along with the general registrar, must carry out elections for any town within its county and any town whose major portion is within its county.

*1.3.1.8 Duties Related to Ballots*²⁰²

- The general registrar must order the printing of the number of ballots he determines are sufficient for the proper conduct of the election. This number is subject to the approval of the electoral board.²⁰³
- The general registrar must send absentee ballots that have been requested not later than 45 days before any election, or as soon thereafter for a nonfederal special election.²⁰⁴
- The general registrar must certify its compliance with the deadline to the Department of Elections and report the number of ballots ordered. The Department of Elections issues electronic surveys for this purpose.
- The general registrar must send the Department of Elections proofs of each ballot and copies of each final ballot.²⁰⁵
- The electoral board or the general registrar must designate one person to be continuously present in the room where and when the ballots are being printed. If not an electoral board member, the person must be paid at least \$20 per day.²⁰⁶
- The electoral board or the general registrar must designate one of its members, or a registrar, or an employee, to receive the ballots after they are printed and certify the number received. The certificate must be filed with other election materials.²⁰⁷
- The electoral board or the general registrar must designate a person to affix the electoral board seal to each ballot and to sign a statement witnessing such. This statement must be filed with the board's minutes.²⁰⁸

²⁰¹ For electoral board duties related to town elections, see [1.2.5.8](#).

²⁰² For electoral board duties related to ballots, see [1.2.5.9](#).

²⁰³ [§ 24.2-612](#).

²⁰⁴ [§ 24.2-612](#).

²⁰⁵ [§ 24.2-612](#).

²⁰⁶ [§ 24.2-617](#).

²⁰⁷ [§ 24.2-618](#).

²⁰⁸ [§ 24.2-619](#).



- The electoral board or the general registrar must have the printed ballots sorted for each precinct with at least one electoral board member or designee of the board present.²⁰⁹

1.3.1.9 Duties Related to Voting Equipment²¹⁰

- The board and general registrar must employ a person or persons (called “custodians”) to set up and test each voting machine before each election. A board member or an assistant registrar may be appointed by the board or general registrar to serve as custodian without pay for that service. A board member serving as the custodian may not also serve in his capacity as a board member when both the custodian and a board member are required to be present.²¹¹
- A board member, an authorized representative, or the general registrar must be present at the final testing of each machine before each election. Again, if a board member is serving as custodian, another board member must be present.²¹²
- The general registrar must notify appropriate local party chairs (or independent candidates for a city or town election if there are no party nominees on the ballot for any office) of the time and place that the voting equipment will be prepared and sealed and allow the persons notified to have one representative each to witness the preparation and sealing.²¹³
- The general registrar must retain custody of all voting machine keys after the machines have been sealed.²¹⁴
- The board or the general registrar must deliver the keys in sealed packages to designated officers of election in each precinct before the polls open.²¹⁵
- The board or the general registrar may designate times and places for demonstrating and instructing the public on the proper use of the machines.²¹⁶
- The general registrar must keep custody of all voting equipment and maintain it in proper repair.²¹⁷

²⁰⁹ [§ 24.2-620.](#)

²¹⁰ For electoral board duties related to voting equipment, *see* [1.2.5.10](#).

²¹¹ [§ 24.2-632.](#)

²¹² [§ 24.2-632.](#)

²¹³ [§ 24.2-633.](#)

²¹⁴ [§ 24.2-634.](#)

²¹⁵ [§ 24.2-639.](#)

²¹⁶ [§ 24.2-635.](#)



*1.3.1.10 Duties Related to Election Day*²¹⁸

- The board must ensure that the general registrar has all voting equipment, furniture, and materials at the polling places before the polls open.²¹⁹
- The general registrar must furnish a copy of the Virginia Election Laws (Title 24.2) to each precinct for use by the officers of election on Election Day.²²⁰ The Department of Elections provides copies to the localities for this purpose.
- The board or general registrar must furnish to all polling places using electronic voting equipment, two sample ballots that must be posted for public inspection.²²¹
- The general registrar must provide to each polling place a model of a portion of the machine ballot face to use in instructing voters on how to use the machine.²²²

*1.3.1.11 Duties Following the Election, Primary, or Referendum*²²³

- The board or general registrar may direct the return of all materials from the precincts to the office of the general registrar instead of the Clerk of Circuit Court. These materials must be conveyed to the Clerk of the Circuit Court by noon on the day following the electoral board's ascertainment of the results.²²⁴
- The general registrar must provide, to each polling place, a model of or materials displaying the ballot facing-portion of the voting system in use, in order to instruct voters on how to use the machine.²²⁵

²¹⁷ [§ 24.2-637](#).

²¹⁸ For electoral board duties related to election day, *see* [Duties Related to Election Day](#).

²¹⁹ [§§ 24.2-610, 24.2-637](#).

²²⁰ [§ 24.2-610](#).

²²¹ [§ 24.2-641](#); *see* [Error! Reference source not found.](#) (detailing Election Day procedures).

²²² [§ 24.2-647](#).

²²³ For electoral board duties following the election, primary, or referendum, *see* [1.2.5.12](#).

²²⁴ [§ 24.2-668](#).

²²⁵ [§ 24.2-647](#).



1.3.1.12 Duties Related to Absentee Balloting²²⁶

- The general registrar must provide a ballot and other absentee materials within three business days to all registered applicants who properly submit a timely and complete application form, so long as ballots are available.²²⁷ A five day waiting period is required for persons who apply to register and request absentee ballots simultaneously, with limited exceptions for military and overseas citizens.
- The general registrar will be asked to certify to the Department of Elections that absentee ballots were sent to applicants by the date required by law and to provide certain information required to assure compliance with absentee voting deadlines.²²⁸
- The general registrar must make applications for absentee ballots available and accept them electronically.²²⁹ The general registrar must send absentee ballots electronically to eligible absent military and overseas voters who request. See [Error! Reference source not found.](#) for details.
- The general registrar must provide a voting assistance form to any voters who indicate that they need assistance due to blindness, disability, or inability to read and write.²³⁰
- The general registrar must rule on any request for an emergency absentee ballot from an incapacitated voter where the cause of the voter's emergency incapacity is not one of the reasons specified in the Code.²³¹
- The general registrar must make note of, and preserve, any ballot returned unused.²³²
- The general registrar must provide a provisional ballot to anyone who lost, returned unused, did not receive, or accidentally spoiled his ballot.²³³
- The board, or the general registrar, must mark the date of receipt of any absentee ballot and deposit it in an appropriate container.²³⁴

²²⁶ For electoral board duties related to absentee balloting, see [1.2.5.13](#).

²²⁷ [§ 24.2-706](#).

²²⁸ [§ 24.2-612](#).

²²⁹ [§ 24.2-701](#).

²³⁰ [§ 24.2-704](#).

²³¹ [§ 24.2-705](#).

²³² [§ 24.2-708](#).

²³³ [§ 24.2-708](#).

²³⁴ [§ 24.2-710](#).



Any person who fails to discharge his duty as provided in this section through willful neglect of duty and with malicious intent shall be guilty of a Class 1 misdemeanor as provided in [§ 24.2-1001\(A\)](#).

1.3.2 Appointment

The electoral board for each county and city meets in the month of May or June in 2007 and every four years thereafter to appoint the general registrar. The appointment is for a four-year term to begin the first of July of the year of appointment. The electoral board fills any vacancy for the remainder of an unexpired term.²³⁵ The appointment is for this specific term and is not subject to grievance procedures. The electoral board is not required to advertise the availability of this appointive position if the incumbent general registrar will be reappointed. Immediately after the meeting to appoint the general registrar, the secretary of the electoral board must certify the appointment to the Department of Elections using the General Registrar Certification of Appointment form ([ELECT-110](#)).²³⁶

1.3.2.1 Job Qualifications

The general registrar should fit the following roles and related qualifications:

- A planner capable of assessing the current and future needs of citizens, establishing a schedule to meet those needs, and managing all phases of the registration process.
- An administrator able to manage all phases of the registration process, and the employees and volunteers responsible for its accomplishment.
- A budget analyst with the ability to determine the financing required for an effective registration program, and to obtain necessary funds by providing justification to the local governing body and working with local officials.
- A human resources officer capable of assessing the qualifications of prospective assistant registrars, paid or volunteer, and clerical employees who may be needed.
- A trainer capable of training all assistant registrars, clerical employees, and, if delegated, election officials in the proper and efficient performance of their duties.

²³⁵ [§ 24.2-110](#).

²³⁶ See [The Electoral Board Must Appoint the General Registrar](#) for more information.



- A writer with the skills to compose press releases, legal notices, correspondence, and manuals.
- A public relations expert capable of appropriate and non-partisan dealings with citizens, the press, the local government, the state government, and the federal government.
- A public speaker willing to speak before the public about the election process.
- A person with technical ability able to understand and manage the technical aspects of the position such as creating mail merge documents (e.g., for correspondence with voters), using spreadsheets (e.g., for budget preparation) and using presentation software (e.g., for training officers of election).
- A monitor able to track and analyze federal and state legislative initiatives and voting trends to project the potential future impact on the locality, and to provide meaningful information to legislators when appropriate.
- An individual capable of quickly familiarizing herself with the locality and its citizens in order to establish a registration and voter education plan that meets the needs of the locality.

The person appointed general registrar may not be all of these things when appointed but must become all of them or the registration process will suffer.

The general registrar holds the key to increasing the number of eligible citizens who are registered to vote. Press releases, public service announcements, and informational speeches are essential tools for public education. Application displays can be arranged in highly visible locations that are frequented by citizens of the locality. In-person registration schedules can be arranged so that the registrar is available to the public at popular events and places. In particular, visits to local high schools once or twice each year provide excellent opportunities to educate students. If general registrar staff will be accepting registration applications, the location must be open to the public and preannounced.²³⁷ The general registrar must know the county or city and the habits of its citizens in order to establish a registration plan that is responsive to the locality.²³⁸

²³⁷ [§ 24.2-412](#); see also [§ 24.2-413](#). But see [§ 24.2-412 \(B\)](#) (detailing no need for public announcement if ongoing agreement in place).

²³⁸ On June 25, 2013, the U.S. Supreme Court held invalid Section 4 of the Voting Rights Act that outlines the formula for determining what jurisdictions are covered under the Section 5 Preclearance processes. This ruling makes Section 5 dormant until such time as Congress enacts another formula for coverage that is consistent with the Constitution. The practical effect is that it is no longer necessary to preclear changes affecting voting with the Department of Justice.



1.3.3 Oath of Office

Each general registrar must, as soon as possible and not later than June 30, take and sign the oath of office prescribed in [Va. Const. II, 7](#) before any judge or the Circuit Court Clerk. Note that these Code sections provide more limited options for administering the registrar's oath than the for the registrar's staff. A local judge or the Circuit Court Clerk will normally need to be called on to administer the registrar's oath. In contrast, the registrar may administer the oath for the registrar's staff.²³⁹

The general registrar must file the signed oath with the Circuit Court Clerk. This document is available from the Clerk. A copy of the signed oath also must be filed with the secretary of the electoral board.²⁴⁰

The secretary of the electoral board must assure that the oath is taken and filed by the general registrar appointed by the Board. Failure to take it before acting as general registrar is punishable by a fine of not less than \$100 or more than \$1,000.²⁴¹

1.3.4 The General Registrar and Political Activity

The registrar is prohibited from volunteering or working in political campaigns affecting his or her locality.²⁴² The statute does not define “volunteer worker,” so the plain and ordinary meaning is used (i.e., a person who, of his own free will, provides services, without any financial gain).²⁴³ There has been some question over the years as to whether [§ 24.2-110](#) prohibits contributing to candidates, placing bumper stickers on private vehicles, and the like. Being in a job involving politics, it is natural that a registrar will have political leanings and may have come from a campaign background. While the law does not require a registrar to be apolitical, registrars must perform their duties in a nonpartisan manner.²⁴⁴ In particular, registrars should do nothing that might cause the public to perceive favoritism for one candidate over another. The Code expressly prohibits the general registrar from selectively soliciting registration or offering incentives for applications.²⁴⁵

²³⁹ [§ 24.2-120](#).

²⁴⁰ [§ 24.2-120](#).

²⁴¹ [§ 49-11](#).

²⁴² [§ 24.2-110](#).

²⁴³ See [§ 2.2-3601](#).

²⁴⁴ [Op. Va. Att’y Gen. 03-068](#).

²⁴⁵ [§ 24.2-114\(2\)](#).



1.3.5 Removal

The electoral board may, by a recorded majority vote, remove from office, on notice any general registrar who fails to discharge the duties of the office according to law.²⁴⁶ The State Board of Elections may petition the local electoral board to remove from office any general registrar who fails to discharge the duties of the office according to law.²⁴⁷ The Department of Elections may institute proceedings for the removal of the general registrar if the local electoral board refuses to act.²⁴⁸

In the event that a vacancy occurs in the office of general registrar, or the incumbent general registrar becomes unable to perform the duties of the office for an extended period, the electoral board may appoint an acting general registrar. The electoral board and the Department of Elections may arrange for the acting general registrar to receive the compensation designated for the general registrar. However, the Department of Elections will only reimburse the locality for the salary of one incumbent of the position. The locality may still be liable for the salary of a temporarily incapacitated general registrar, under the normal personnel and compensation policies of the locality. The local government attorney or personnel officer should be able to advise the electoral board and the registrar of the appropriate interim compensation policies.

1.3.6 Compensation

The General Assembly sets the salary of general registrars in the annual Appropriations Act. The current plan is based on certain factors, including population and a cost of living adjustment in certain urban localities.

To determine the appropriate salary, the Department of Elections uses the most recent official population estimate from the Weldon Cooper Center for Public Service of the University of Virginia.²⁴⁹ The annual compensation of an incumbent may not be decreased due to declining population during the term or term of office.

The general registrar must receive the annual compensation set by the Department of Elections and may not be paid less except when taking an unpaid leave of absence brought about by extenuating circumstances. During any unpaid leave, the chief assistant or another appropriately qualified individual is appointed the acting general registrar by the electoral board.

²⁴⁶ [§ 24.2-109](#).

²⁴⁷ [§ 24.2-103](#).

²⁴⁸ [§ 24.2-103\(C\)](#) (referencing [§ 24.2-234](#)).

²⁴⁹ See Appropriations Act, Item 88, [Virginia Legislative Information Systems](#) website. This is determined every July 1.



Any local governing body may choose to pay the general registrar a salary supplement. The general registrar who believes such a supplement is warranted should approach the local governing body with a proposal and justification for the supplement.

The registrar's salary must be paid by the local governing body. The salary amount (not including any supplement) is generally reimbursed to the locality by the Department of Elections on an annual basis.

The locality must provide the same benefits to the general and assistant registrars and staff as provided to other employees of the locality.²⁵⁰ The local governing body has discretion to determine which benefit programs it can provide (e.g. retirement, medical, dental). Costs of these programs are borne entirely by the locality and/or the registrar, with no reimbursement from the State treasury.

The local governing body may reimburse the general registrar and electoral board member for reasonable expenses and for mileage at the rate paid to members of the General Assembly when these are incurred while on official business.²⁵¹ These expenses are not reimbursed from the State treasury.

1.3.7 Attendance/Absences

Effective August 8, 2000, the Secretary of Administration and Attorney General's office approved the following administrative directive:

Any general registrar who will be out of the office for any reason for *more than* two weeks should provide written or email notice to the Commissioner of Elections or Deputy Commissioner of Elections. (Emphasis added.) The Commissioner will need to know who to contact in the office during the general registrar's extended absence.

Each jurisdiction's general registrar and electoral board secretary are individually responsible for ensuring that the Commissioner or Deputy Commissioner of Elections receives the required notification. If an electoral board member or general registrar is absent due to unforeseen circumstances, the responsible person present, or staff, must send this notification. Notification should be in advance for any foreseeable absence.

²⁵⁰ [§ 24.2-111](#).

²⁵¹ [§ 24.2-111](#).



General registrars should expect to work considerable overtime (evenings and weekends) during the busy election season and at other times throughout the year. The electoral board and general registrar should discuss expectations for whether compensatory time will be granted or if the registrar has scheduling flexibility. The general registrar and electoral board may consult the locality's human resource office for guidelines on overtime.

1.3.7.1 Jury Duty Exemption

2011 legislation allows general registrars, their staff and electoral board members to request exemption from jury service starting 90 days before an election through 10 days after certification or conclusion of any recount or contest.²⁵² Although the [federal exemption](#) for “public officers” is not available,²⁵³ federal district courts may grant excuses based on occupation, hardship or extreme inconvenience. Your local government attorney can assist you with communicating an exemption request to the court.

1.3.8 Assistant Registrars

In localities with a population of over 15,500, the law requires at least one assistant registrar who serves at least one day a week. In localities with a population under 15,500, the law requires only one substitute registrar who is able to assume the duties of the general registrar in an emergency and who shall assist the general registrar upon request.²⁵⁴

A specific provision for Russell County requires at least one full-time assistant registrar who shall serve in the office of the general registrar.²⁵⁵

No legal requirement can guarantee the availability of a well-trained assistant able to assume the registrar's duties in the registrar's absence and assist with the daily work of the office. The locality must provide funds to enable the general registrar to obtain the authorized staffing.²⁵⁶ The electoral board sets the number of assistant registrars based on the statutory formula and the local governing body must fund them consistent with federal minimum wage requirements and applicable state and local compensation standards.

²⁵² [§ 8.01-341.1\(14\)](#).

²⁵³ Federal legislation proposed in 2013 remains pending to provide an exemption for election or registration officials for the period 60 days before until 30 days after an election. See HR 775, <http://thomas.loc.gov/cgi-bin/bdquery/z?d113:h.r.00775:>.

²⁵⁴ [§ 24.2-112](#).

²⁵⁵ [§ 24.2-112](#).

²⁵⁶ See October 2014 Attorney General Opinion to King William Electoral Board.



The general registrar has hiring and supervisory authority to the assistant registrars and establishes their duties. The electoral board has no authority to dictate whom the general registrar hires as assistants.²⁵⁷ Like Department of Elections staff, general registrar's staff is nonpartisan and subject to a prohibition on volunteer campaign activity.²⁵⁸ The Electoral Board has ultimate responsibility for administering elections according to law and assuring that the general registrar staff is competent and qualified to carry out their tasks.²⁵⁹

1.3.8.1 Qualifications

Assistant registrars must satisfy the same restrictions and qualifications and fulfill the same requirements as the general registrar, except that an assistant registrar may be an officer of election and must be a registered voter of the Commonwealth but not necessarily of the locality served.²⁶⁰

Localities may mutually agree to share an assistant registrar among two or more localities. The localities must work out the details of when and where the assistant will work and how the assistant will be paid. This arrangement may be ongoing, or it may be used for special short-term needs, or as part of a "back up plan" for emergencies.

A paid assistant registrar cannot have a family relationship with the general registrar (i.e., cannot be the spouse, parent, grandparent, sibling, child, or grandchild of the general registrar).

1.3.8.2 Hiring, Compensation and Benefits

Assistant registrars are normally hired as employees of the locality.²⁶¹ As such, hiring should be conducted under the personnel policies of the locality. Likewise, the assistant should be included in the compensation plan of the locality with the same benefits as other similar local government employees.²⁶²

²⁵⁷ [§ 24.2-112](#).

²⁵⁸ [§§ 24.2-103\(E\)](#), [24.2-1100](#), [24.2-112](#). See October 2003 Attorney General Opinion.

²⁵⁹ [Va. Const art. II, § 8](#); [§ 24.2-106](#).

²⁶⁰ [§ 24.2-112](#).

²⁶¹ [§ 24.2-122](#).

²⁶² [§ 24.2-111](#).



1.3.8.3 Term of Office

The electoral board sets the terms for assistant registrars. However, their terms may not extend beyond the term of the general registrar.²⁶³ The general registrar should be familiar with local personnel policies that could affect their assistants, such as restrictions on termination without cause. The personnel director and/or attorney for the locality can provide information and guidance.

1.3.8.4 Special Assistant Registrars

The general registrar may appoint, as a special assistant registrar, a person that is not a qualified voter of the locality provided that the person, while a qualified voter of the locality, served continuously for more than ten years as a deputy or assistant registrar. Compensation is fixed and paid by the local governing body.²⁶⁴

1.3.8.5 Unpaid Assistant Registrars

The general registrar may appoint assistant registrars who agree to serve without pay. These volunteer assistants were used extensively before implementation of the National Voter Registration Act, for example, to staff registration sites at libraries and other public locations.²⁶⁵ Due to the increased complexity and security required for automated processes, appointment of unpaid assistant registrars is reserved to highly qualified and experienced persons such as retired elections personnel.

1.3.9 Other Staff and Volunteers

The general registrar may decide to use other staff and volunteers in the office on an ongoing or an occasional basis. Such staff and volunteers may not exercise the powers of the general or an assistant registrar.²⁶⁶ For example, they may not make a decision on whether to accept or deny a voter registration application. Localities may have restrictions on hiring or compensating family members. Consulting the local administration before adding staff can prevent potentially serious problems for the electoral board and general registrar.

1.3.10 Typical Tasks of the General Registrar and Assistants

A comprehensive job description for a general registrar should be on file in each county and city. Should you require assistance or clarification relating to the job description, please refer to the duties and qualifications outlined in this chapter.

²⁶³ [§ 24.2-112.](#)

²⁶⁴ [§ 24.2-113.](#)

²⁶⁵ [§ 24.2-112.](#)

²⁶⁶ [§ 24.2-114.](#)



- i** Below is a large locality’s listing of activities of its registrar and assistants. No registrar alone should be expected to perform all these functions. Some functions listed are delegations from the electoral board. [2015](#) and [2016](#) legislation officially reassigned to the general registrar (as director of elections) many duties related to absentee voting and campaign finance administration.
- Electoral board support:
 - Work within the community to identify proposed polling places and recommend them to the board.
 - Prepare justification and make recommendations for redistricting, re-precincting and polling place changes.
 - Manage polling place, district or precinct changes.
 - Testify before the local governing body as to the reason for the request for changes in precincts or polling places.
 - Review the list of officers of election and prepare a list for approval by the electoral board.
 - Prepare the letters of appointment, oaths, and officer of election newsletters.
 - Complete the payroll and compensation work necessary for the officer of election and board’s salaries and expenses.
 - Review training materials and write new ones as needed.
 - Represent locality as part of state and national election community:
 - Serve on local, state, and federal committees and completing the work these require.
 - Review materials submitted by other registrars and the Department of Elections. Serve on work groups and committees organized by Department of Elections to address issues of statewide importance.

1.3.11 Prohibited Activities

Registrars are prohibited by law from engaging in certain activities:



- A general registrar may not run for office elected by voters served during the term of their appointment, or for six months after the expiration of the term.²⁶⁷
- A general registrar may not serve as an officer of election.²⁶⁸
- A registrar may not offer legal, financial, or other advice. Applicants sometimes will ask questions that present issues outside the scope of the official responsibilities of the general registrar (e.g., the tax, financial aid, insurance or other legal consequences of declaring a voting residence in a particular jurisdiction). Such questions should be answered by the registrar only to the extent of the information provided by Department of Elections, primarily on its website. Like legislators, registrars are not required to be attorneys. General registrars are very knowledgeable about election law, often more so than attorneys with more general practices. The Code of Virginia has 79 titles including Title 24.2; there also are federal and state constitutions, and federal laws and regulations to consider. Complex questions that may present nonelection issues should be referred to Department of Elections staff or to your county or city attorney for guidance. Sometimes the best help a registrar can provide is to refer their customers to other agencies or resources who are equipped to provide the assistance required. For example, an applicant may need to hire an attorney or accountant to determine if it is in their best interest to declare residence in a particular Virginia locality. The law provides that no private business enterprise may be conducted in the office of the general registrar.²⁶⁹
- The general registrar is prohibited by law from serving as the chair or other officer of any political party committee and from campaigning as a worker (paid or volunteer) for any candidate elected in whole or part by the voters the general registrar serves.²⁷⁰ Paid assistant registrars are subject to the same restrictions as the general registrar.²⁷¹ Assistant registrars cannot serve as a paid or volunteer worker for a campaign for an office elected by the voters served. Unpaid assistants are not subject to this restriction but any campaign work cannot interfere with nonpartisan service to the public.

²⁶⁷ [§ 24.2-110.](#)

²⁶⁸ [§ 24.2-110.](#)

²⁶⁹ [§ 24.2-411.](#)

²⁷⁰ [§ 24.2-110.](#)

²⁷¹ [§ 24.2-112.](#)



- General registrars and staff must avoid any activity that can be construed as a conflict with the nonpartisan manner in which the registrar's office is maintained (i.e., that might cause the public to question that the registrar's duties are carried out in a nonpartisan, fair, and legal manner). For example, registrars and their staff should decline invitations from political parties to offer registration applications to voters at partisan events.²⁷²
- Absolutely no political campaigning, including collecting petition signatures, is allowed within the office of the registrar. Electoral board members and staff are expressly prohibited from collecting candidate petition signatures in any public building owned or leased by locality served.²⁷³
- A registrar is often asked to express an opinion on an issue or candidate. Registrars must refrain from making any comment that can be construed as partisan. Be sure to express the facts in an unbiased way if compelled to answer. General registrars are protected from threats or force interfering with the discharge of their duties and should immediately call law enforcement if a concern for safety arises and report to the Commonwealth's attorney concerns about harassment.²⁷⁴
- In making speeches to groups or lectures to students, registrars should never express an opinion of the candidates, officeholders, or issues. Stick to issues of voter registration and voter participation.
- A registrar may not selectively solicit voter registration. A registrar can only conduct voter registration in public places open to all citizens and publicly announced prior to holding the registration. Registrars may provide nonpartisan education to any interested group about the need to register and vote. If a registrar addresses one party's function, that registrar must also be available to any other party, independent candidate or organization.

The registrar's duty to educate and encourage registration generally supports a variety of activities:²⁷⁵

- Preparing posters and fliers encouraging voter registration.

²⁷² [§ 24.2-114\(4\)](#) expressly prohibits a registrar from selectively soliciting voter registration ; see [Op. Va. Att'y Gen. 03-068](#) (general registrars should perform duties in nonpartisan fashion); [Op. Va. Att'y Gen. 05-030](#) (all public officers must avoid conduct that undermines public confidence).

²⁷³ [§ 24.2-106.1](#).

²⁷⁴ [§§ 24.2-1002, 24.2-1019](#).

²⁷⁵ See [Error! Reference source not found.](#)



- Posting signs encouraging registration.
- Purchasing media advertisements encouraging registration.
- Placing application displays in state designated voter registration agencies and other public locations.
- Offering extended hours and additional locations for voter registration.

1.3.12 The Registrar and the Locality

The general registrar must often work closely with policy makers and other department representatives in the locality served. It is important to promote good relations within the local government structure in order to assure adequate resources and support are provided to the general registrar and electoral board. The general registrar and electoral board should discuss the amount of time and resources that should be directed to locality-specific activities, such as participation in leadership teams and study committees.

It is also important to ensure that, where necessary, the voter registration and election administration processes remain separated from the local political structure to avoid the appearance of undue influence or bias. Many jurisdictions place the general registrar into the same category as other constitutional officers, although it is not an elected position. It is important to understand the expectations of the jurisdiction to avoid misunderstandings and potential unintended consequences.

The general registrar may find it helpful to identify key individuals in the jurisdiction to consult on a variety of issues, including: human resource and payroll management; information technology support; budgeting and purchasing; legal and legislative support; mapping and street-file maintenance; public information dissemination; public safety and traffic management; and school division support. The general registrar should also develop a working relationship with the local Circuit Court Clerk to discuss matters of shared concern, such as election records.



1.4 OFFICERS OF ELECTION

1.4.1 Appointment

At its annual meeting during the first week in February, the electoral board must appoint at least three officers of election for each precinct. If possible, each officer should be a qualified voter of the precinct appointed to serve. All officers must be qualified Virginia voters.²⁷⁶ No elected officer, deputy, or employee of an elected official can serve as an officer of election.²⁷⁷

The term of office cannot exceed *three years*, but an officer may serve until a successor is appointed. The electoral board establishes the length of the term for *each officer* (one, two or three years - the term can vary from officer to officer). Each officer's term of office shall begin on March 1 following the appointment and end on the last day of February of the year the term ends, or until their successors are appointed.²⁷⁸

When appointing the officers of election, electoral boards must give proportional representation to the two political parties having the highest and next highest votes in the last gubernatorial election, when practicable. The party must file its nominations with the secretary of the electoral board at least 10 days before February 1 each year. If the electoral board appoints citizens who do not represent any political party, they should only make up one-third of all of the officers, if practicable.

The electoral board must ensure that one officer is designated as the chief officer of election and one officer is designated as the assistant for each precinct. The officer designated as the assistant for a precinct, whenever practicable, should not represent the same political party as the chief officer of the precinct. An independent or undesignated officer can be appointed as a chief or assistant chief officer of election, but the two political parties receiving the highest number of votes in the previous gubernatorial election must be notified by the general registrar at least 10 days prior to the election. During this 10-day period, the parties have the opportunity to provide additional names of persons that may serve as officers of election.²⁷⁹

²⁷⁶ [§ 24.2-115.](#)

²⁷⁷ [§ 24.2-119.](#)

²⁷⁸ [§ 24.2-115.](#)

²⁷⁹ This is a change from 2015. [§ 24.2-115.](#)



Years with presidential preference primaries in early March require careful planning to assure sufficient sworn officers are available after terms expire in February. Electoral boards may appoint officers to serve two or three-year terms expiring in the year following that of the presidential election. Another option for localities making one-year appointments is to send preliminary notice of appointments before terms expire in the presidential primary year so that the officers can respond and have their oaths completed for electoral board appointment immediately before the presidential primary election.

The Department of Elections encourages localities to recruit college students for officers of election. The Election Assistance Commission has an extensive college poll worker recruitment program that provides financial and other assistance to localities who wish to hire college students as officers of election.²⁸⁰

The electoral board may appoint additional officers any time the board determines they are needed. If an officer of election is unable to serve at any election during his term of office, the electoral board may at any time appoint a substitute for the unexpired term.²⁸¹

If practicable, substitute or additional officers appointed after February must be appointed from lists of nominations filed by the political parties. The electoral board or the general registrar must inform the political parties of the electoral board's decision to make such appointments. The party must file its nominations with the secretary of the electoral board or the general registrar within five business days.²⁸²

Electoral boards also have the option to appoint “closers,” experienced with accounting tasks required for completing statements of results. These officers of election must arrive at least one hour before polls close and have the primary responsibility of assisting with the closing and reporting of precinct results. In addition, officers of election may be reassigned from one polling place to another.

²⁸⁰ See www.eac.gov.

²⁸¹ § 24.2-115.

²⁸² § 24.2-115.



1.4.2 Oath of Office

The electoral board sends each officer of election a packet that includes a notice of appointment, a form for response to the notice of appointment, and an oath. Each officer must take and sign the oath of office before performing the duties of his office.²⁸³ Failure to take the oath before serving is punishable by a fine of not less than \$100 and not more than \$1,000.²⁸⁴ The signed oath must be filed with the Clerk of Circuit Court. The electoral board should ensure that all officers take their oath in a timely manner following their appointment.

1.4.3 Service

Officers of election serve for all elections held in their respective precincts during their terms of office unless the electoral board decides that fewer officers are needed for a particular election, in which case party representation shall be maintained as provided above. However, for a primary election involving only one political party, persons representing the political party holding the primary serve as the officers, if possible.²⁸⁵

The electoral board or the general registrar may opt to assign officers of election for one or more precincts to work all or part of the time that the precinct is open on Election Day.²⁸⁶ However, the chief officer and the assistant chief officer must be on duty at all times.

1.4.4 Training

The State Board sets training standards for the officers of election and develops standardized training programs for the officers of election to be conducted by the local electoral boards and the general registrars.²⁸⁷

²⁸³ [Va. Const. art. II, § 7](#); *see also* [§ 24.2-120](#).

²⁸⁴ [§ 49-11](#).

²⁸⁵ [§ 24.2-115](#).

²⁸⁶ [§ 24.2-115.1](#).

²⁸⁷ [§ 24.2-103](#). To see the electoral board's duties concerning the training of officers of election, *see* [Duties Related to Officers of Elections](#). To see the general registrar's duties concerning the training of officers of elections, *see* [Duties Related to Officers of Elections](#).



The State Board provides standardized training materials for such training and also offers on the Department of Elections website a training course for officers of election. The content of the online training course shall be consistent with the standardized training programs developed. The State Board reviews the standardized training materials and the content of the online training course every two years in the year immediately following a general election for federal office.²⁸⁸

Each officer of election must receive training that is consistent with the standards set by the State Board.²⁸⁹ The electoral board and the general registrar must conduct the training, and have the option of requiring the officers of election to complete the online training course. Each officer of election must be trained before his or her first election. Further, the electoral board must ensure that each chief officer and assistant is instructed in her duties between three and thirty days before each election.²⁹⁰

Training Tips

- The Department of Elections recommends that all officers be trained whenever there are major procedural changes in polling place operations.
- Vary methods of instruction to keep officers of election aware. Many of the officers serve for many years, so be sure to cover any new requirements or problems that occurred in previous elections.
- If using new voting equipment, include a thorough demonstration.

²⁸⁸ [§ 24.2-103.](#)

²⁸⁹ [§ 24.2-115.2.](#)

²⁹⁰ This is a change from 2016. [§ 24.2-115.](#)



1.4.4.1 *Officer of Elections Training Materials*

Training materials listed in Department of Elections Policy 2010-002, Officer of Elections Training Standards should all be covered.²⁹¹ Prior to each training session, the officers of election should receive and review the “Election Day Guide for Officers of Election” for the equipment in use in the polling place, the “What If’s,” and the Provisional Ballot Procedures. Special instructions such as those for Dual Primaries should also be provided. These documents will be useful in problem solving and limit confusion and error in attempting to address issues that may arise at the polls on Election Day. Officers who may be hand-counting ballots should also receive and review the “Ballot Examples for Hand-Counting Paper or Paper-Based Ballots for Virginia Elections or Recounts” discussed in [Error! Reference source not found.](#) and on the Department of Elections website.

The electoral board must certify to the Department of Elections its development of a written plan for training officers of election based on the standards approved by the Department of Elections. This certification checklist can be found in the [Forms Warehouse](#). Additional certifications include the following:

- Annually, by close of business the day before the November election, the electoral board must certify their training plan has been reviewed and revised to reflect changes in law or policy and to incorporate lessons learned from previous elections and that any officers of election trained within the last year have been trained according to the current standards.
- Following any training, the electoral board must certify to the Department of Elections that the officers of election have received the required training.²⁹² This includes the requirement that officers of elections be trained at least once per appointment before the first election in which they serve during that appointment and the requirement that the standardized program or online course approved by the State Board was used.

²⁹¹ See <http://sbe.virginia.gov/index.php/election-law/regulations-and-policies/> (SBE Policy 2010-002 – Training Standards).

²⁹² [§ 24.2-115.2](#)



1.4.5 Publication of Officer of Elections Lists

Prior to March 1 each year, the secretary of the electoral board or the general registrar must prepare a list of officers of elections by precinct. The list must be available to the public and posted in the general registrar's office. Whenever substitute or additional officers are appointed, the secretary of the electoral board or the general registrar will promptly add the names of the appointees to the public list. Any other changes made thereafter should be promptly noted on this list.²⁹³

In considering what information should be on this public list, it is appropriate to consider the need to protect personal privacy. The public list need only include the officer's full name. Localities may find it helpful to include the precinct where the officer will serve (recognizing that this may change before Election Day) and an indication of which officers have been designated as chiefs and assistant chiefs.

- ① The list for *public inspection* does not need to include the officers' residences or mailing addresses, political party, phone numbers or other personal or professional information (and it must not include any Social Security Numbers or parts thereof). The electoral board and registrar do need this information to contact the officers and for payment processing purposes, but it should not be on the public list. Likewise, the list included with the electoral board's minutes does not need to include this additional personal information.
- ① However, political parties and candidates do have a right to know any declared political party affiliation of officers of election, so lists provided in response to a candidate or political party request would need to include political party affiliation.²⁹⁴

For administrative purposes (in the event of a recount), localities may also want to maintain an internal, nonpublic list containing the following information:

- The officer's full name
- The precinct(s) where the officer was appointed to serve
- The party the officer is representing (if any)
- An indication of which officers have been designated as chiefs and assistant chiefs

²⁹³ [§ 24.2-115.](#)

²⁹⁴ [§ 24.2-115.](#)



This list could be provided on an as-needed basis to courts and parties to a recount proceeding without exposing officers' personal information on a general public list.

What's in a name - Officer of Election or Poll Worker?

The officials who work at the polls are known by a variety of titles in various parts of the United States. For example: "Election Judge," "Election Clerk," "Inspector of Elections," "Election Deputy," "Registrar," "Auditor," and "Election Supervisor." The Code of Virginia refers to them in all instances as "Officers of Election." The Code of Virginia identifies officials appointed by the local electoral board to work at the polls on Election Day as "Officers of Election." "Poll Worker" is another term that is often used to describe these invaluable members of the elections team. In Virginia, the term "Poll Worker" often is used to describe the campaign workers who staff tables and hand out literature outside the polls on Election Day or who serve as authorized representatives of political parties or candidates in the polling place. For the most part, this chapter uses the term Officer of Election to describe the appointed officials responsible for conducting the election in each polling place.

While these officials are correctly called "Officers of Election," the term "Poll Worker" is gaining wider usage and acceptance. The Help America Vote Act (HAVA) uses the term to describe election officials in the polling place. The Election Assistance Commission charged with overseeing the implementation of HAVA does, too. Programs and organizations dedicated to assisting election officials in recruiting and training use these terms. Even the Virginia Election and Registration Information System (VERIS) uses the term to describe the functional area of VERIS that is designed to track the appointment, assignment, deployment, and training of Officers of Election.

1.4.6 Poll Worker Functionality in VERIS

When a voter indicates an interest in serving as an Officer of Election either by checking the appropriate box on the voter application, or through some other means, this can be recorded in the "Poll Worker Interest" section of the voter's record. VERIS will maintain this information and provide a report on request of all the voters in a locality who have indicated interest in serving.



While more detailed information is provided on using this functionality in the VERIS Step-by-Step Instructions, the following overview provides a basic outline of the program. Officer positions such as Chief, Assistant Chief, and Officer can be set up in VERIS. VERIS will record the date of appointment and term of appointment for the worker. Since the Code does not allow officers to have appointed terms that exceed three years, VERIS users have the option to accept the default term of three years or set a lesser term. The program also maintains a history of election assignments and training sessions attended. After the election, the program will produce a list of officers and their pay. VERIS allows the user to copy poll worker data from one election into another where it can be edited as needed.

General registrars record each officer of election in VERIS in the poll worker section of the system. VERIS allows searching by name, date of birth, and precinct. This ensures that an individual who is not a registered voter is not entered as an officer of election. Once the officer is located as a registered voter, “Make Pollworker” is selected in order to enter that officer as an appointed officer of election. The registrar then records the officer’s specific information (e.g., phone number), assigns him to specific precincts or specific elections, etc. Each officer must be assigned to a precinct and election so that the Department of Elections may determine the total number of officers utilized in order to complete required reports to the EAC. Tracking officers in VERIS also allows the general registrar to produce the required list of officers of election for public inspection and, in the case of a recount, produce a quick and retrievable list of officers.

It is important that the officers’ records in VERIS (e.g., contact information or party representation) be maintained accurately. This will ensure that only the officers actually assigned to work in a specific precinct and for an election are entered and assigned to the appropriate precincts and elections.

The appointment and management of officers of election is an electoral board duty. While all or part of the record keeping is sometimes delegated to the general registrar, electoral board members can be given access to VERIS and maintain these records themselves. It is important to note, however, that VERIS cannot be readily accessed from a home computer due to firewall and security concerns.



1.4.7 Legal Status

Officers of election generally are considered to be local government employees unless state law specifically provides otherwise.²⁹⁵ They may be subject to various state and federal requirements such as documenting work eligibility with Form I-9 unless the locality obtains an exemption from the U.S. Department of Homeland Security.

1.4.8 Compensation

The governing body of each county, city, or town shall pay its officers of election at least \$75.00 for services rendered on election day. Payment of the minimum compensation is mandatory for each officer who provides “a full day’s service rendered on election day.” However, officers may elect to waive compensation. In addition, the local governing body will pay each officer of election \$10.00 and mileage at the rate payable to members of the General Assembly for each time she delivers pollbooks and ballots to the polling place and each time she delivers returns and ballots to the appropriate official after the polls have closed. Jurisdictions may increase the salary of the officers collecting and delivering materials by at least \$10.00 and the equivalent of mileage expenses from the furthest polling place in the locality in lieu of calculating the mileage and extra pay required by this section.²⁹⁶

1.4.9 Removal of an Officer

Certain family relationships allow a candidate, or the electoral board, to require the removal of an officer of election for a specific election. This removal must be based on the officer’s relationship to an opposing candidate. These relationships include spouse, parent, grandparent, sibling, child, or grandchild. The candidate, or electoral board member, must file a written request at least seven days before the election with the electoral board appointing the officer. The electoral board may appoint a substitute who shall hold office and serve for that election.²⁹⁷

²⁹⁵ [§ 24.2-122.](#)

²⁹⁶ [§ 24.2-116.](#)

²⁹⁷ [§ 24.2-117.](#)



1.4.10 Appointment of a Substitute on Election Day

If an officer of election is absent or unable to serve, and the polls have been open for one hour, the remaining officers of election can appoint a substitute officer of election for the precinct. The substitute officer must have the same qualifications and, after taking the requisite oath, will have the same powers as officers appointed by an electoral board.²⁹⁸

1.4.11 Performance Evaluation

Following each election held in a city or county, a performance evaluation form should be completed for each officer who served at the election. Any member of the electoral board may complete the form.²⁹⁹

The evaluation should be reviewed prior to appointing officers during the first week in February. These documents should enable the Board to appoint officers who consistently perform at an acceptable level. Also, this data could be used to determine areas in which officers need additional, or more detailed, training.

These evaluation forms should be retained for at least two years following the last election in which the officer served, then destroyed securely according to Public Records Act procedures for personnel records. See [Error! Reference source not found.](#)

1.4.11.1 Performance Evaluation

- [Notice of Appointment](#)
- [Oath](#)
- [Response to Notice of Appointment](#)
- [Performance Evaluation](#)

²⁹⁸ [§ 24.2-118.](#)

²⁹⁹ See the [Forms Warehouse](#).



1.5 APPENDIX

The following format may be used if no specific advertisement is available in the county or city:

City/County of _____ is seeking applicants for the position of General Registrar, which is a four-year appointment. The General Registrar must be a qualified voter of _____.

The General Registrar must perform the duties outlined in Virginia Code [§ 24.2-114](#), as well as those determined by the local electoral board. These include, but are not limited to, the following: (1) timely process registration applications and maintain accurate and current registration records; (2) assure compliance with all laws and regulations regarding voter registration and elections; (3) assist the electoral board to assure uniformity, legality and purity of elections; (4) provide excellent customer service to all voters and potential voters; (5) manage all personnel, fiscal and physical resources as needed to provide all required and desired services of the office; (6) develop and administer a public information program to encourage registration and voting; (7) respond to inquiries and complaints from the general public.

Candidates must possess knowledge of and ability to easily deal with cutting-edge technology, including both standard and proprietary computer software programs. Candidate must also be able to deal with the public in a polite, courteous, pleasant and professional manner both in person and by telephone. Helpful knowledge or skills include (1) familiarity with the local government, community and political structure; (2) accounting; (3) standard office procedures; (4) federal and state election laws; (5) management skills, including prior supervision of personnel; (6) ability to recruit volunteers; (7) public relations; (8) good oral and written communications skills.

Must be able, when necessary, to work nights and weekends. Salary range is _____. All interested candidates should send a cover letter, resume, less than two page writing sample (and county/city application?) to:

by (enter date sufficiently far in advance of May or June meeting to allow review of applications and contacting applicants) _____, 20___. Call _____ for further information.



Sample Interview Questions

- Why are you interested in the position of General Registrar?
- After reviewing the position description, describe what in your skills, interests, and background makes you qualified for this position.
- Have you had prior experience with the election process, voter registration process, or political process? Please describe your experience.
- Have you had prior supervisory or management experience or any knowledge of employment law issues? Please describe.
- Have you had any prior budgetary or fiscal management experience? Please describe.
- Describe any volunteer experiences you have had that might be relevant.
- Describe your computer knowledge and skills. Are you familiar with Microsoft Word, Excel, and/or Access? What about email and the Internet? Are you comfortable with computers and new technology?
- Describe the experience you have had that most clearly shows your ability to simultaneously organize and manage multiple people and tasks.
- How would the average person describe your manner and style in dealing with them? Have you had experience in dealing with difficult people? Describe such an incident and how you handled it.
- Describe your familiarity with local government, community, and political structures.
- Describe any familiarity with state and federal election laws.
- Describe your most successful efforts to recruit and manage volunteers.
- Describe your public relations experiences and successes.
- Describe any experience you have with public speaking.
- Describe some prior experience that would assure us that you are able to timely process registration applications and maintain accurate and current registration records.
- Describe any ideas you might have that could assist the electoral board to ensure the uniformity, legality, and purity of elections.
- Is there any other relevant information you would like to provide to us that would show us that you would be the best candidate for the position of general registrar.

