

State Board of Elections Policy 2008-005

A meeting of the Virginia State Board of Elections was held on September 8, 2008 whereby a policy was proposed and approved by the Board:

Reproduction of Optical Scan Ballots

WHEREAS, the Code of Virginia, § 24.2-613 states, in part:

At any precinct at which mark sense ballots are used, the mark sense ballot may be used in lieu of the official paper ballot *with the approval of the State Board*.

Any locality which uses mark sense ballots at one of more precincts, including central absentee precinct, may, *with the approval of the State Board*, use the mark sense ballot or printed reproductions of the mark sense ballot in lieu of the official paper ballot. Such reproductions shall be printed and otherwise handled in accordance with all laws and procedures that apply to official paper ballots.

[Emphasis added.]

WHEREAS, the Code of Virginia, § 24.2-646.1 authorizes using “an official paper ballot or a copy thereof pursuant to § 24.2-642 when voting equipment is inoperable or otherwise unavailable;”

WHEREAS, optical scan ballots are also referred to as “mark sense ballots”;

WHEREAS, time is critical in any situation which requires the reproduction of ballots; now therefore be it

RESOLVED, by the State Board of Elections under its authority to issue rules and regulations to promote the proper administration of election laws and obtain uniformity in the administration of elections pursuant to § 24.2-103, that

The State Board grants approval to any locality which uses optical scan ballots at one or more precincts, including central absentee precinct, to use the optical scan ballot or printed reproductions of the optical scan ballot in lieu of the official paper ballot. All copies shall be made and accounted for according to instructions provided by the State Board of Elections.

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