

ELECTORAL BOARD MEMBER RESPONSIBILITIES (NONEXCLUSIVE ADVISORY GUIDANCE PREPARED BY STATE BOARD OF ELECTIONS STAFF)

CODE SECTION	DEADLINE	DATE	ACTION REQUIRED
§24.2-109(B)			The Electoral Board shall perform the duties assigned by this title including, but not limited to, the preparation of ballots, the administration of absentee ballot provisions; the conduct of the election; and the ascertainment of the results.
Administration: §24.2— 101,103, 104, 106, 109, 109.1, 110, 112, 120:			
§§24.2-101, 24.2-103			Administer elections. Follow rules and regulations promulgated from SBE, provide information requested by SBE.
§24.2-104			Request AG to investigate election practices.
§24.2-106			Notify SBE of EB membership changes and contact info. Notify SBE and other EB members of disqualifying relationship requiring circuit court to appoint new member.
§24.2-109			Appoint GR, by a recorded majority vote may remove from office, on notice, any general registrar who fails to discharge the duties of his office according to law.
§24.2-109.1			Effective 1/1/07 perform annual review of GR and provide a summary of the review to SBE.
§24.2-110			Fill any vacancy in term of GR for unexpired term.
§24.2-112			Determine the number of assistant registrars and set term.
§24.2-114(18)			Prescribe other duties for the GR.
§24.2-120			Take and sign oath of office before serving, file original with the Clerk of Circuit Court.
Officers of Election §24.2-115,115.1, 117,119			Recruit officers of election.
§24.2-115	meeting first week of February		Appoint officers of election if needed. If not, no meeting required.
§24.2-115			Notify officers of election of appointment
§24.2-115			Determine number of officers and placement.
§24.2-115			Name Chief and Assistant Chiefs. Notify parties at least 10 days before election if partisan chief or assistant unavailable.
§24.2-115			Conduct training of officers of election.
§24.2-115, 117			Appoint substitutes and additional officers of election as needed
§24.2-115	March 1		List / Database preparation and maintenance. Secretary responsible to post list and update with new appointments as made. Public list should not contain personal information. List is for inspection with no authorization to copy. Party or candidate can request copy with party designations and precincts.
§24.2-115.1			May allow for split shifts of officers of election and reassign to different precincts.
§24.2-117			Appoint substitute to serve in place of officer of election with specified family relationships to candidate.
§24.2-115, 115.1			Ensure that officers of election are eligible and sworn.
Polling Places §24.2-310			Ensure adequate facilities for polling places are provided.
§24.2-310			Ensure accessibility of polling places (as required by the provisions of the Virginians with Disabilities Act (§ 51.5-1 et seq.), the Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. § 1973ee et seq.), and the Americans with Disabilities Act relating to public services (42 U.S.C. § 12131 et seq.).
§24.2-310			Provide for alternative polling place if required in emergency. Approval of SBE Secretary required.
§24.2-310			Provide notice to voters of alternative polling place.
§24.2-712			Recommend locality adoption of ordinance establishing Central Absentee Precinct (CAP) including town elections .

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§24.2-307. See also §24.2-309.2.			Notify the governing body of the locality of presidential precinct turnout exceeding 4,000 in time for locality to adjust within in 6 months. Watch for redistricting precinct freeze.
Voter Registration §24.2-411, 412			May provide for additional hours for official voter registration using regular staff or appointed on site assistants . GR office must close at 5 pm on final day.
§24.2-412			Approve additional ongoing locations for official registration .
§24.2-412			May provide additional locations for official registration . .
Candidates: §24.2-524, 529, 532	no less than 45 days before primary		Notify treasurer or director of finance to whom fee was paid if candidate is unopposed so that filing fee can be refunded. Determine primary ballot order for simultaneous filers. Prepare abstracts and certificates of votes.
The Election: § 24.2-517			Post notice of order for election.
§24.2- 601, 603.1, 604, 604.1, 604.2, 609, 610,611, 612, 614, 616, 617, 618, 619, 620, 621, 627, 631, 632, 633, 634, 635, 636, 637, 639, 640, 641, 642, 647, 653, 659, 668, 669, 671 ,672, 674, 675, 676, 683, 684			In counties, control elections of situated towns: Lesser EB reports results to greater EB For split towns.
§24.2-603.1			Determine location of counting ballots in emergency
§24.2-604			Allow election-day programs (e.g., pages and simulated elections) for students at polling places
§24.2-604			Authorize neutral observers at polling places
§24.2-604.1			Provide polling place signage for handicapped entrances
§24.2-604.2			In emergency may modify the prohibited area distances
§24.2-609			Provide voting booths, at least one for printed ballots
§24.2-610			Provide copies of §24.2 at polling places for officers of election
§24.2-610	Before 6:00 a.m. on the day of election		Follow requirements of §24.2 and the instructions of the State Board to ensure that the pollbooks, ballots, voting equipment keys, and other materials and supplies required to conduct the election are delivered to the polling place before 6:00 a.m. on the day of the election and delivered to the proper official following the election
§24.2-611			Administer Election Day Oath to Officers of Election (stored with pollbook). Determine whether to use of electronic pollbooks of type approved by SBE and plan for provisional balloting if EPBs fail and no back up provided. Localities continuing to paper pollboks are responsible for associated costs starting 11.2.2010. 2008-2010 Appropriations Act, § 1-89).
§24.2-103			Follow SBE instructions for conduct of election

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§24.2-612	Upon expiration of deadline for qualification.		Forward to SBE a list of county, city and town offices and candidates to be on ballot. . Forward to SBE list of candidates disqualified and reasons See SBE Calendar of Events
§24.2-612			Determine the number of ballots to be printed. Notify SBE.
§24.2-612			Affix EB seal to any SBE provided statewide ballots.
§24.2-612	45 days before November general, 30 days before May general or primary, and ASAP before for special not with general.		Make printed ballots available for absentee voting.
§24.2-612			Provide to SBE a statement of the number of printed ballots ordered to be printed, proofs of each printed and voting equipment ballot for verification, and copies of each final ballot.
§24.2-614	45 days before election		Have presidential ballot printed at least 45 days before election.
§24.2-616			Provide for contract with ballot printer.
§24.2-617			Provide for representative to be present during ballot printing with signed statement under felony penalty (compensate \$20 unless board member).
§24.2-618			Receive and certify number of ballots received from printer.
§24.2-619			Cause seal of EB to be affixed to each ballot
§24.2-620			Make one or more packages of ballots for each precinct in the election district. Each package shall contain a number of ballots determined by the board. Each of these packages shall be securely sealed in the presence of a member of the board or such designated person so that the ballots shall be invisible, and so that the packages cannot be readily opened without detection. On each of the packages shall be endorsed the name of the precinct for which it is intended and the number of ballots therein contained. Thereafter the packages designated for each precinct shall be delivered to the secretary of the board and remain in his exclusive possession until delivered by him, or by another board member, board employee, the general or an assistant registrar designated by the board, to the officers of election of each precinct as provided in § 24.2-621.
§24.2-620			Deliver sufficient number of ballots to GR for absentee voting
§24.2-621			Before every election the secretary, or another board member, board employee, or the general or an assistant registrar designated by the board, shall deliver to an officer of election of each precinct the official ballots for that precinct and obtain a receipt for the package or packages and a certificate that the seals are unbroken. If the secretary or other such designated person is unable to deliver the official ballots, another member of the board shall deliver them.
§24.2-625.1			Prepare a Voting Equipment Security Plan. Meetings may be closed to discuss voting equipment security (other than security breach in conducting election).
§ 24.2-626.1			Assure each polling place, including CAP, has at least one accessible voting system with alternative language accessibility when required.
§24.2-627			Determine the number of voting or counting machines to be used in election.
§24.2-631, 632			Request SBE approval for test use of new equipment.

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§24.2-632			Employ one or more voting machine custodians (may be employee shared with locality).
§24.2-632			Receive SBE approval for contractor to perform machine duties.
§24.2-632			Observe final testing and sealing of voting equipment
§24.2-633			Mail written notice to party chairs of final testing
§24.2-634			Retain custody of machine keys and deliver to Officers of Elections
§24.2-635			Designate times and places for machine demonstrations
§24.2-636			Train officers of elections on machine operation
§24.2-637			Have the voting and counting equipment and all necessary furniture and materials at the polling places, with counters on the voting or counting devices set at zero (000), and otherwise in good and proper order for use at the election
§ 24.2-638			Dismiss officers of election responsible for failing to record or falsifying required information for machine assisted curbside voting.
§24.2-639			Deliver keys to the equipment and any electronic activation devices that are required for the operation of electronic voting equipment to the officer of election designated in a sealed envelope on which has been written or printed the name of the precinct for which it is intended.
§24.2-641	Election Day		Sample ballots - The board shall provide for each precinct in which any voting or counting machines or direct electronic voting devices are used, two sample ballots, which shall be arranged as a diagram of the front of the voting device as it will appear with the official ballot for voting on election day. Such sample ballots shall be posted for public inspection at each polling place during the day of election.
§24.2-642	Election Day		Inoperative equipment - When any voting or counting machine becomes inoperative in whole or in part while the polls are open, the officers of election shall immediately notify the board. If possible, the board shall dispatch a qualified technician to the polling place to repair the inoperative machine, or substitute the machine...No voting or counting machine that has become inoperative and contains votes may be removed from the polling place while the polls are open and votes are being ascertained. If the officers of election are unable to ascertain the results from the inoperative machine after the polls close in order to add its results to the results from the other machines in that precinct, the officers of election shall lock and seal the machine without removing the memory card, cartridge or data storage medium and deliver the machine to either the clerk of court or registrar's office as provided for in § 24.2-659. On the day following the election, the board shall meet and ascertain the results from the inoperative machine in accordance with the procedures prescribed by the machine's manufacturer and add the results to the results for the precinct to which the machine was assigned.
§24.2-642			Direct officers of election on procedures to follow in counting ballots.
§24.2-647	Election Day		Provide demonstration equipment or signage on how to operate voting equipment.
§24.2-653	Day after Election		Receive all provisional ballots and determine if valid. During meeting in which EB is determining validity of provisional ballots, only persons authorized by § 24.2-653(B) those whose ballots are being considered along with their representative or legal counsel, and appropriate staff and legal counsel of the electoral board are permitted to be present at the electoral board meeting where the validity of provisional ballots are determined. The authorized representative of a political party of independent candidate will be permitted to stay in the room while the decision on validity of the provisional ballot is made as long as they are merely an observer and do not participate in or impede the process.
§§24.2-659, -668			Secure equipment keys and election materials with Clerk of Court or General Registrar. Request SBE Secretary permission to inspect when needed. Arrange with clerk for disposition after required retention periods in compliance with Library of Virginia schedule GS-01.
§24.2-671	Day after Election		Meet the day after the election to ascertain results, deliver one copy of SORs to GR, and deliver materials to Clerk of Court.
§ 24.2-671.1			Announce results of any post-election audits.

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§24.2-672			Summon officers of election if needed to correct results
§24.2-674			Determine winner publicly by lot in case of tie.
§24.2-675			Make out and certify abstracts with EB seal and deliver to SBE.
§24.2-676			Make out Certificates of Election for each office, deliver to each person elected.
§24.2-406(A)			Within 60 days after election, transmit list of those who voted to SBE for incorporation in lists made available under § 24.2-406. Recount or contest extends time to send.
§24.2-683			Post copy of Writ for special election called.
§24.2-684			Prepare referenda ballots and distribute to precincts, certify results to SBE, court which ordered referendum, other authority.
Absentee Voting: §24.2-700, 701, 702, 703.2, 704, 705, 706, 707, 708, 709, 710, 711, 711.1, 712			Absentee ballots for registered voters. Eligibility for temporary registration.
§24.2-700(6)			An EB member may vote Absentee.
§24.2-701			AB in-person application may be signed in presence of EB member.
§24.2-701			EBs shall follow directions of SBE for handling and counting of HAVA related provisional AB ballots due to ID requirements
§24.2-702	90 days before election		FPCA applications for statewide office, EB issues printed ballots at least 90 days before election.
§24.2-703.2	Saturday before election		Replace AB ballots for certain disabled or ill voters
§24.2-704			On receipt of an application from an applicant marked to indicate he will require assistance, the board shall deliver, with the items required by § 24.2-706, the voter assistance form furnished by the State Board pursuant to § 24.2-649.
§24.2-705	2 pm day before election		Determine whether an applicant qualifies for emergency ballot
§24.2-705			Provide an emergency AB ballot to designee for incapacitated or hospitalized voters, follow set procedures.
§24.2-706			Review AB applications received from GR.
§24.2-706			Send ABs with all required forms to applicants, obtain certificate of mailing, and follow SBE instructions on AB procedures. UOCAVA voters outside Virginia may request emailed ballots (effective 7.1.09).
§24.2-707			Provide for casting of AB votes on voting machines if CAP used.
§24.2-708			Receive unused ballots from applicants who decide not to use. Confirm receipt of unused ballot when voter seeks to cast a regular ballot.
§24.2-708	Election Day		The EB shall note on the absentee voter applicant list, opposite the name of the person returning the ballot, the fact that the ballot was returned unused and the date of the return. The EB shall carefully preserve all ballots returned unused and deliver them, together with other returned ballots, to the officers of election on election day.
§24.2-709			Provide GR a receipt showing date and time EB received ballots returned to GR.
§24.2-712			Decide opening time for CAP by agreement with GR if late (after 6 am before noon).
Recounts and Contested Elections- §24.2-800, 801, 802, 813			The local EB shall assist the Court as needed in recount procedures.
Campaign Finance Disclosure - §24.2- 945, 945.1, 945.2, 946, 946.1 946.2, 946.3, 946.4, 946.5, 947.1, 947.4, 947.5, 947.9, 948.1, 948.3			Primary responsibility for local candidates who file locally, shared responsibility for reports required to be filed locally and with SBE.

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§24.2-945.2, §24.2-947.1, - 947.5			Local candidates shall file "statement of organization" forms with EB. Efile option starting 2007.
§24.2-948.1			Request for exemption from reporting filed with EB.
§24.2-945.2			Paper reports of independent expenditures concerning local offices are filed with the EB.
§24.2-946.1			CF reports may be filed electronically with SBE.
§24.2-947.5			Non electronic CF filings for GA reports are filed both with SBE and the local EB.
§24.2-947.9			Special large single pre-election contributions must be filed with the EB by 5 pm next day (or Mon. if Sat.). If within 24 hrs. of Election Day must receive day before Election Day.
. See also -945 and -946.1.			
§24.2-946.5			EBs may close dormant files if certain conditions met.
§24.2-946.2			CF reports on file are available for inspection and copying for cost.
§24.2-946.4			EBs may grant extension for CF filings due to EB for good cause
§24.2-946.3			EBs must report CF violations relating to locally filed reports to the Commonwealth's Attorney
§24.2-946.3			EB shall receive, catalog and review CF reports to verify that they are complete and filed timely. Notify the person within 21 days of report due date that information is incomplete or inaccurate. EB Secretary per SBE instructions shall assess and collect civil penalties; if unable to collect, report same to Commonwealth's Attorney for enforcement. Report to SBE penalties assessed, collected and reported to CA. Penalties collected on EB or GR initiative payable to local government.
§24.2-953.3			Prior to assessing a penalty pursuant to this section for the filing of an incomplete report, the Secretary of the State Board or the general registrar or secretary of the local electoral board, as appropriate, shall notify, by certified mail, the candidate and treasurer, or person or political committee required to file a report with that board, that a filed report has not been completed, citing the omissions from the report. No penalty shall be assessed if the information required to complete the report is filed within 10 days of the date of mailing the written notice.
§24.2-946.3			The State Board shall determine the schedule of fines required to be followed by its staff and EBs in assessing penalties.
Election Offenses			Willful neglect of duties, Class 1 misdemeanor. Corrupt conduct of duties, Class 5 felony.
§24.2 —1001			
§24.2 —1019			May have duty to report other offenses to Commonwealth Attorney even if not specified (e.g., when learn facts indicating illegal registration or voting has occurred).
Other election offenses			See GREBook Chapter 23 for a summary.