Albemarle County Electoral Board Meeting Minutes

May 14, 2026

Location: Albemarle County Office Building, 5th Street
Attendance: Jim Heilman, Valerie Dormady, Bucky Walsh, Jonell McFadden, Alex Branch
Public who spoke: Rick Garnett, Counselor Andrea Ruege, Clara Belle Wheeler

The meeting began at 9:00 am.
The agenda was approved.

Registrar/Board Comments. Jonell announced that a hotwash for election officers (EOs) who worked in Early-in-Person (EIP) voting will be held on May 18 at 6 pm.

Public Comments. Rick asked that there be more public outreach about the Assistant Chief training module that Bucky created and is on our website. He also suggested that we consider making a former chief a "floater" who would be available to be a fill-in for any Chief Officer who cannot work.

Old Business.

- Financial Accounting. Jonell distributed an accounting report on the cost of the April 21 Special Election. While she still has a few costs to add in, the current cost is $234,000.
- Placing EOs in or near their home precincts. Alex said that he has identified 20 EOs who would prefer to work in their home precincts rather than where they are working now.
- Election Security Plan Certification. Bucky will be updating that document so that the Board can certify it by August 28.

New Business.

- Election Law Changes. Andrea provided a power point presentation on the many major election law changes that will affect us. Some go into effect July 1, some January 1, and some later. The power point slides are attached to these minutes.
- DS300 Optical Scan Problem. Bucky discussed the DS300 at Stone-Robinson polling place that failed in mid-morning of the April 21 Special Election. He and Jonell met with the representatives of the manufacturer (ES&S). They came to discuss the machine failures and to explain their efforts to solve the problems. They described testing procedures, various approaches to pinpoint causes, and a future remedy in the works. We seem to be the only locality that had this particular problem. The representatives assured him that we are doing nothing wrong. They decided to give us three more loaner scanners.
- Scheduling for August 4 Primaries. Jonell and the Board reviewed plans for training and for logic and accuracy testing of our machines.
- Early-in-Person (EIP) Sunday Voting. Thanks to a law change, we are now required to offer EIP on two Sundays – July 19 and 26 – before the August 4 Primaries. The law requires us to be open a

minimum of 5 hours each of those days. Board/staff consensus was to offer this from 11 am to 4 pm.

- Half-day Shifts for EOs. Bucky opined that it may be time to start offering our EOs the possibility of doing half-day shifts on election days. Discussion ensued. Rick asked about the possibility of first doing it as a pilot project in a couple precincts. Clara Belle opined that EOs working only a morning shift should not be signing the Statements of Results. Jim said he would check with Charlottesville to see how they do it.
- Ballot Order. Jonell asked for Board guidance on how many ballots to order for the August 4 Primaries. Discussion ensued. Bucky suggested that she order enough for 40% of registered voters for each ballot type – Democratic and Republican. His suggestion was accepted.

Executive Session. Bucky moved the following: I move that the Albemarle County Electoral Board convene a closed meeting pursuant to Section 2.2-3711(A) of the Code of Virginia: Under subsection (1): (i) to discuss and consider applications of prospective candidates as officers of election, (ii) to discuss the annual performance review process of the registrar as required under §24.2-109.1, and (iii) to discuss the performance of officers of election and the staff in the elections office. And also under Section 24.2-625.1(B) to discuss security with regard to specific local electoral procedures. The motion passed unanimously. The Board went into the closed meeting at 10:41 am.

The Board came out of the closed meeting at 11:43 am. (Andrea, Jonell, and Board members participated in all the meeting. Alex participated in part of it.) Bucky moved the following: RESOLVED, that the Electoral Board certify by recorded vote that, to the best of each member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed meeting were heard, discussed, or considered in the closed meeting. The motion passed unanimously.

Bucky moved approval of the current tentative list of Chief and Assistant Chief Officers. The motion passed unanimously. Jim moved the appointment of 18 new officers of election for a one-year term beginning March1, 2026. The motion passed unanimously. They are:

Angela Amin	Cecelia Brennan	Rebecca S. Boone
Leah Ann Connor	James K. Cox	Carlton E. Draper
Theo P. Fletcher	Gilbert Glennie	Andrew Gray
Mark Maloney	Theresa McCullough	Hannah Miller
Luke Rosenberger	Sandra Sohne-Johnson	Thomas Warren
Ann Welch	Sharon Wheeler	Jason Jones

The meeting adjourned at 11:44 am.

Respectfully submitted,

James M. Heilman
Secretary, Albemarle County Electoral Board

2026 General Assembly Session: Elections Update

Prepared by: Andrea Ruege,
Senior Assistant County Attorney
May 14, 2026

Overview of Legislative Themes

- Election administration & board duties
- Voter registration & list maintenance
- Absentee & provisional ballot processes
- Polling place regulations & ballot counting
- Candidate filings & confidentiality
- Constitutional amendments & future changes

Section 1: Election Administration – Board Duties & Risks

New Grounds for Removal (HB41)

- The State Board of Elections (ELECT) may remove local electoral board (LEB) members or registrars by a 2/3 vote after a public hearing
- Grounds: neglect of clear duties, misuse of office, incompetence, or clear indication of refusal to perform duties
- Decision is **final** and reviewable only under Administrative Procedures Act (APA)
- ELECT must establish hearing procedures

Certification as Mandatory Duty (HB 78)

- Certification of election results is a ***clear, nondiscretionary ministerial duty*** of local electoral boards
- Neglect of refusal to certify constitutes grounds for removal under § 24.2-234.1
- A board member who fails or refuses to certify is subject to ***civil penalty up to $1,000***
- If a local board fails or refuses to certify, ***the State Board may intervene*** and carry out the duty

Required ID Badges for Board Members (HB 234)

- ELECT is required to issue standardized ID badges to acting LEB members that must be worn while conducting official duties on election day
- Badges must display name, position, locality, and term expiration date
- Knowingly failing to wear the badge may result in civil penalty up to $250

Conduct at Polling Places & Absentee Sites (HB 909)

- Polling place conduct rules (loitering, solicitation, influencing voters, etc.) now apply to **all in-person absentee voting locations**

Conduct at Polling Places & Absentee Sites (HB 909), continued

- Firearm-free zones expanded to **100 feet**
- Applies to polling places, registrar's office, canvass meetings, recounts, central absentee precincts, and drop-off locations
- General 40-foot "Prohibited Area" rule stays in effect for other conduct
- May impact signage needs

Section 2: Voter Registration & List Maintenance

Cancellation Rules Tightened (HB 111)

- Registrars may only cancel registrations based on data from the Dept. of Elections or a State Board-approved state agency.
- Protects active-duty military, overseas voters, and eligible spouses/dependents from erroneous cancellation
- Notice of cancellation must be sent by mail and email, if available
- Certain cancellations require a 14-day notice and response period

Third-Party Data Exchange Approval + ERIC (HB 215/ SB 57)

- Any third-party voter-data MOU (new, amended, or terminated) must be approved by a two-thirds vote of the State Board
- Requirement does not apply to data sharing agreements mandated by law
- Department of Elections must join and maintain membership in ERIC (Electronic Registration Information Center)

Major Overhaul: List Maintenance Standards (HB 972)

DELAYED EFFECTIVE DATE: JULY 1, 2027

- Standardizes required identification data for all list-maintenance sources; prohibits use of interstate data lacking a unique identifier
- DOE must assign confidence scores for record matches; only records meeting the State Board set threshold may be sent to registrars

Major Overhaul: List Maintenance Standards (HB 972), continued

- SAVE Program restrictions: cannot use SAVE data as sole basis for rejection; no bulk uploads; minimal data transfer only
- Notice must be sent to voters ***before any*** cancellations, including citizenship & felony-based cancellations (14-day response window)
- Public cancellation & denial records mandated
- Annual review of all list-maintenance data sources

Automatic Restoration of Rights Upon Release (HB 964/ SB 162)

- Voting rights automatically restored upon release from incarceration
- Department of Corrections and jail authorities must transmit release data to DOE
- DOE must promptly update eligibility so individuals can register upon release
- Effective Jan. 1, 2027 *(contingent on constitutional amendment approval)*

Section 3: Absentee & Provisional Ballots

Sunday In-Person Absentee Voting (SB 438)

- Requires in-person absentee voting to be available on the second and third Sunday before Election Day.
- In-person absentee voting must be available for a minimum of five hours between 11:00 a.m. and 5:00 p.m.
- Allows localities to provide for additional Sunday voting.

New Post-Election Deadlines (HB 82 / SB 58)

DELAYED EFFECTIVE DATE JAN 1, 2027

Deadlines moved to ***5:00 p.m. on the third day after the election***:

- To receive absentee ballots (with valid postmark);
- For provisional voters to submit ID or signed confirmation statement; and
- To cure absentee ballot errors

Curing Absentee Ballots (HB 773)

EFFECTIVE JAN 1, 2027

- Removes prior limitation that only ballots received by the Friday before Election Day were eligible for curing
- Requires registrars to ***promptly*** notify voters of correctable errors
- Moves the deadline to cure to noon on the Monday after Election Day
- Allows issuing a replacement absentee ballot, if needed.

Provisional Ballots: Required Voter Contact (HB 774/ SB 582)

EFFECTIVE JAN 1, 2027

- Registrars must review provisional ballot forms for material omissions and promptly notify voters by phone or email with instructions for correction
- Voters may cure errors until noon on the Monday after Election Day
- Statewide uniform procedures required for reviewing, curing, and adjudicating provisional ballots, including those cast by same-day registrants

Absentee Ballots: Required Voter Contact (HB 774/ SB 582), con't

EFFECTIVE JAN 1, 2027

- Eliminates requirement that ballots must be received by Friday before Election Day to be cured
- Registrars must promptly notify voters of correctable ballot issues and provide cure instructions (email/writing)
- Absentee voters may cure issues until noon on the Monday after the election

Absentee Applications & Tracking (SB 582)

- Absentee ballot application list must be updated daily, showing acceptance, rejection, and ballot status
- Rejection status must be recorded in the voter's record
- Free-access system must show application acceptance/rejection, ballot receipt, and current ballot status
- LEB must send written notice of absentee ballot rejection within 90 days

Section 4: Polling Places, Precincts & Ballot Counting

Elimination of Voter Challenges (HB 640)

- Eliminates all in-person voter challenges at polling places and registrar offices
- All challenges must now be filed in circuit court by three qualified voters
- Challenged voter receives 15-day notice; court makes a summary determination
- Provisional ballot statute update to reflect repeals

Machine-Readable Ballots Must Be Machine-Counted (HB 968)

EFFECTIVE SEPT 1, 2026

- Machine-readable ballots must be counted by ballot scanners
- Hand counting allowed only if
  (1) scanner is inoperative;
  (2) no backup scanner is available; and
  (3) waiting for repair/delivery is unreasonable
- Damaged or defective machine-readable ballots must be duplicated by a bipartisan team & substituted for original
- Duplicates must be clearly labeled and cross-referenced with the damaged ballot

Section 5: Candidates, FOIA & Other Topics

Candidate & Elected Official Address Confidentiality (HB 835/ SB 632)

EFFECTIVE JAN 1, 2027

- Candidate personal contact information (addresses/phone/email) are not releasable in response to a FOIA request
- Candidates may use voter-system unique identifier instead of home address on required filings
- Elected Officials added to the list of eligible voters to use a P.O. Box instead of a street address; certificates of election must inform winners of this status and how to update registration

Ranked Choice Voting Expansion (HB 630/ SB 176)

- Local governing bodies *may* adopt rank choice voting for their elections; the State Board must confirm technical feasibility
- State Board must set software standards, issue RCV regulations, and provide voter education
- RCV canvass, recounts, audits, and ballot duplication procedures updated to accommodate the system
- Not required; permissive authority granted to localities

Section 6: Constitutional Amendments & Future Impacts (FYI Only)

Constitutional Amendments (on the ballot on November 3)

- Remove Constitutional Same-Sex Marriage Ban Amendment
- Right to Reproductive Freedom Amendment
- Voting Rights Restoration for Felons Upon Release Amendment
- *These are policy topics that may affect voter education, but do not impose duties on LEB*

Section 7: Implementation & Action Items

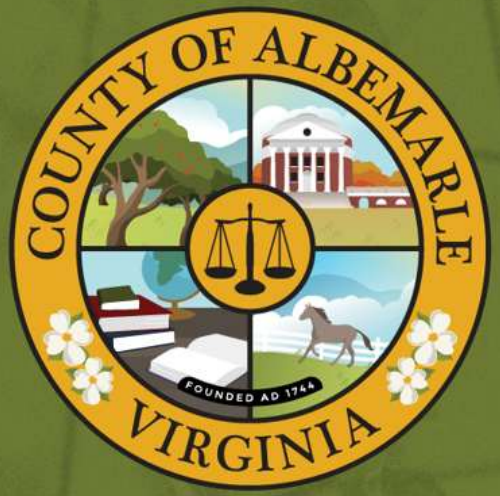
What LEB Should Do

- Update local policies, where necessary
- Prepare training updates
- Budget for ID badge compliance, additional absentee/provisional processing workload, machine counting requirements
- Update signage for increased firearm-free zones
- Coordinate with law enforcement & courthouse personnel

Proposed Timeline for Implementation

- 2026: Begin policy and training updates, badge issuance
- September 1, 2026: absentee/provisional changes & machine-counting rules
- January 1, 2027: absentee deadlines, address confidentiality, restoration-of-rights implementation
- July 1, 2027: major list maintenance overhaul

Questions & Discussion?


COUNTY OF ALBEMARLE
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VIRGINIA