

MOTION:

**June 22, 2021
Regular Meeting
Res. No. 21-**

SECOND:

RE: AUTHORIZE THE PRINCE WILLIAM COUNTY DEPARTMENT OF ELECTIONS TO REQUEST A WAIVER FROM THE VIRGINIA BOARD OF ELECTIONS, FROM THE PROVISIONS OF VIRGINIA CODE SECTION 24.2-307, TO ADMINISTER EXISTING SPLIT PRECINCTS FOR THE NOVEMBER GENERAL ELECTION OF 2021

ACTION:

WHEREAS, there are thirty (30) voting precincts in the County that are split by one (1) or more federal Congressional districts, state Senate districts, or House of Delegates districts, and

WHEREAS, Virginia Code Section 24.2-307, as amended, now requires local governing bodies to eliminate split precincts prior to the 2021 November General Election, unless a waiver is issued by the State Board of Elections, and

WHEREAS, the County would need to create sixty-eight (68) new precincts to resolve the various existing splits, and of those, eight (8) would not meet the minimum precinct size set forth in Section 24.2-307, and

WHEREAS, if new precincts were created, thirty (30) would require new polling places, and

WHEREAS, to comply with the new Virginia preclearance requirement established by the Voting Rights Act of Virginia, which takes effect July 1, 2021, any new precinct and polling place changes would need to be adopted by the Prince William Board of County Supervisors (Board) by early July in order to receive preclearance prior to the September 3, 2021, deadline, mandated by Virginia Code Section 24.2-306, and

WHEREAS, adequate polling places for new precincts have not been located and funding secured for new staff and equipment, and

WHEREAS, even if the Board were to locate polling places and identify funds necessary to eliminate all split precincts, the new precincts cannot be established before the sixty (60) day precinct change prohibition pursuant to Section 24.2-306, and

WHEREAS, pursuant to Section 24.2-307, the State Board of Elections allows localities to seek a waiver from the requirement to eliminate split precincts prior to the November 2021 General Election, a copy of such advisory being attached to this resolution;

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NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby approves and authorizes the General Registrar and County staff to seek and apply for a waiver from the State Board of Elections to administer existing split precincts for the November 2021 general election, and authorizes the County Executive, or his designee, to endorse all necessary waiver application documents that are approved as to form by the County Attorney's Office.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

For Information:

General Registrar / Director of Elections

ATTEST: _____
Clerk to the Board



★ VIRGINIA ★
DEPARTMENT *of* ELECTIONS

Official ELECT Advisory

DATE: May 6, 2021

SUBJECT: Waiver to Administer an Existing Split Precinct

WHY THIS IS NEEDED: The Code of Virginia § [24.2-307](#) requires the elimination of split precincts for elections held in November, 2021 and all subsequent elections.

HOW THIS AFFECTS YOU: The governing bodies of localities are required to establish precincts that are wholly contained within a single congressional district, Senate district, House of Delegates district, and local election district. If a governing body is unable to establish a precinct with the minimum number of registered voters without splitting the precinct, it may apply for a waiver. Additionally, if precinct boundaries that are consistent with any Congressional district, Senate district, House of Delegates district, and local election district that will be adopted by the appropriate authority, cannot be established before the 60 day precinct change prohibition pursuant to § [24.2-306](#), a governing body may request a waiver.

ACTIONS NEEDED: As delegated by the State Board of Elections on March 31, 2021, ELECT has created a simple waiver application for localities to request to administer a split precinct(s), which the governing body **must** approve to apply for.

Once approved by the governing body, a general registrar can fill out the waiver application and attach the governing body's meeting minutes or resolution. A locality may only administer a split precinct for elections held in the year the waiver is granted.

The waiver application can be accessed here: (<https://fs28.formsite.com/vaelect/SplitWaiver/index.html>).

CONTACT: For technical matters:

Submit questions via JIRA ticket to the System Support Team

For all other matters:


Regions 1 & 3 (Tidewater & North Central) Zakia Williams:
Zakia.Williams@elections.virginia.gov; (804) 864-8954

Regions 2 & 5 (South Central & Northern) Taylor Melton:
Taylor.Melton@elections.virginia.gov; (804) 593-2274

Region 6 (Western) Garry Ellis:
Garry.Ellis@elections.virginia.gov; (804) 864-8910

Regions 4 & 7 (Southwest & Southern) Tanya Pruett:
Tanya.Pruett@elections.virginia.gov; (804) 864-8931

ADVISORY NUMBER:

 **CAB-530** - Waiver to Administer an Existing Split Precinct PUBLISH ADVISORY