



# Albemarle County

## Legislation Details (With Text)

**File #:** 21-311      **Version:** 1      **Name:**  
**Type:** Resolution      **Status:** Consent Agenda  
**File created:** 5/18/2021      **In control:** Board of Supervisors  
**On agenda:** 6/2/2021      **Final action:**  
**Title:** Resolution to Request Split Precinct Waiver from State Board of Elections.  
**Sponsors:**  
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**Code sections:**  
**Attachments:** 1. Att.A - Proposed Resolution

Date	Ver.	Action By	Action	Result
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**AGENDA DATE:** 6/2/2021

**TITLE:**

Resolution to Request Split Precinct Waiver from State Board of Elections

**SUBJECT/PROPOSAL/REQUEST:** Resolution for the Board of Supervisors to authorize the submission of a request for a waiver from the State Board of Elections to administer an existing split voting precinct for the November 2021 general election

**ITEM TYPE:** Consent Action Item

**STAFF CONTACT(S):** Richardson, Walker, Kamptner, Bessette, Washburne

**PRESENTER (S):** N/A

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Jeffrey B. Richardson

**BACKGROUND:** Virginia Code § 24.2-307 requires the elimination of split voting precincts for elections held in November 2021 and subsequent elections. Virginia Code § 24.2-307 provides that if a split precinct cannot be eliminated, the local governing body may request a waiver to administer a split precinct in the November 2021 general election.

**STRATEGIC PLAN:** Quality Government Operations - Ensure County government's capacity to provide high quality service that achieves community priorities.

**DISCUSSION:** Albemarle County has 4 split voting precincts - that is, voting precincts where one part of the precinct is in one election district, and the other part of the precinct is in another election district.

The Pantops voting precinct is split between the 57<sup>th</sup> House of Delegates district and the 58<sup>th</sup> House of Delegates district. The great majority of voters in the Pantops precinct (1,943) are in the 57<sup>th</sup> House of Delegates district, and 379 are in the 58<sup>th</sup> House of Delegates district. Three of the County's split precincts are

split between state Senate districts 17 and 25 - the Woodbrook precinct, the Jack Jouett precinct, and the Stony Point precinct. These three precincts' splits will not come into play for the November 2021 election.

This creates confusion on election days because election officers working at the split precincts must be sure to hand voters the correct ballot. In recognition of this potential confusion, the General Assembly passed the law prohibiting split precincts, and requiring these precinct splits to be cured. However, this new law provides that localities, at the request of their local governing bodies, may apply to the State Board of Elections for a waiver. Because of the delay in the decennial redistricting process, as a result of the delay in the transmittal of the 2020 Census data, the Department of Elections created a simple waiver application for local governing bodies to request to continue administering split precincts for the upcoming November 2021 general election. Because state Senate seats will not be on Virginia ballots in the upcoming November election, only one split precinct in Albemarle County will have 2 different ballot styles - the Pantops precinct will have a ballot style for the 57<sup>th</sup> House of Delegates district and a ballot style for the 58<sup>th</sup> House of Delegates district. Although distributing the correct ballots to voters in this precinct will present the same challenges as it has in the past, past experience indicates that this will not be an insurmountable challenge, whereas trying to eliminate the precinct split in the Pantops precinct prior to decennial redistricting would be difficult and impractical, when new precinct and district lines will have to be redrawn sometime in the next several months in order to implement decennial redistricting. Accordingly, the Electoral Board and voter Registrar ask that the Board of Supervisors request a split precinct waiver from the State Board of Elections.

**BUDGET IMPACT:** The adoption of the proposed resolution would have no budget impact.

**RECOMMENDATION:**

Staff recommends that, after the public hearing, the Board adopt the attached Resolution (Attachment A).

**ATTACHMENTS:**

A - Proposed Resolution