



★ VIRGINIA ★  
DEPARTMENT *of* ELECTIONS

---

the Handbook

# **Chapter 14**

## **Canvass**

August 2024

<b>14. CANVASS .....</b>	<b>3</b>
14.1 CHAPTER ORGANIZATION.....	3
14.2 PREPARING FOR CANVASS.....	4
14.2.1 Basics of the Meeting .....	4
14.2.2 Required Totals for Canvass.....	6
14.2.3 Election Materials Provided to the Clerk of Court and the General Registrar.....	8
14.3 CONDUCTING THE CANVASS .....	9
14.3.1 Duties of the Officers of Election .....	10
14.3.2 Duties of the General Registrar .....	10
14.3.3 Duties of the Electoral Board .....	11
14.3.4 Duties of the Department of Elections .....	19
14.4 AFTER THE CANVASS.....	19
14.4.1 Certificates of Election .....	19
14.4.2 What to Do with Your Ballots .....	21
14.4.3 Letters to Voters whose Provisional or Absentee Ballots are Rejected.....	22



## 14. CANVASS

<b>REQUIRED FORMS</b>  <a href="#">SOR Printed Return Sheet</a> <a href="#">Statement of Results (SOR) Write-Ins Certification</a> <a href="#">ELECT-659 Request to Inspect Sealed Election Materials</a> <a href="#">24.2-671.2(D) Request for Risk-Limiting Audit Form</a> <a href="#">Request to Inspect Sealed Election Materials for a Post-Election Audit</a>	<b>ADDITIONAL RESOURCES</b>  <a href="#">ELECT-675 Write-Ins Certification and Continuation</a> <a href="#">Circuit Court Clerks Guidance</a> <a href="#">Definitions</a> <a href="#">Same Day Registration Processes and Procedures</a> <a href="#">Risk Limiting Audit Manual</a>
<b>REFERENCE</b>  <a href="#">Enhanced Results Training Materials (located in LMS)</a> <a href="#">Election Night and Post-Election Process Package (located in LMS)</a> <a href="#">VERIS Step-by-Steps (in VERIS)</a> <a href="#">Code of Virginia, Title 24.2</a> <a href="#">Certificate of Election Appointment Template (SBE 109)</a> <a href="#">Certificate of Election</a>	<b>REGULATIONS</b>  <a href="#">1VAC20-20-70 Duty to Request Assistance and to Notify Voters of Denial of Applications for Voter Registration or Absentee Ballots</a> <a href="#">1VAC20-60-80 Request for risk-limiting audit for a contested race within a jurisdiction</a>

### 14.1 CHAPTER ORGANIZATION

The process of reviewing, confirming, and recording the official local results of each election is called a “canvass”. Local election officials in each locality conduct a canvass to verify and consolidate election results from the individual precincts. The officers of election, local electoral board, and general registrar are all jointly responsible for conducting an accurate and timely canvass, and then transmitting the results of the canvass to the Department of Elections through Enhanced Results. The requirements for canvassing are codified in the Code of Virginia, Title 24.2, §§24.2-671- 24.2-680.

The purpose of this chapter is to provide an overview of the procedures for conducting a canvass in compliance with Virginia Code and is structured into three parts: Preparing for the Canvass, Conducting the Canvass, and After the Canvass.

§14.2 outlines steps to prepare for the canvass. The canvass occurs during a board meeting; thus, §14.2.1 discusses the basics of conducting a meeting, such as the need to follow requirements set in the Virginia Open Meetings and Freedom of Information Act. §14.2.2 discusses attendance and the important role of the secretary of the local electoral board. §14.2.3 lists materials needed to complete a canvass and explains the purpose of each document while §14.2.4 provides information regarding duties and responsibilities the clerk and general registrar have for canvass.

The canvass is an intensive step-by-step process; general registrars and electoral board members must have a sound understanding of how the materials are to be used prior to beginning the canvass meeting. §14.3 provides a guide to conducting the canvass by focusing on the duties and responsibilities of four entities: the officers of election, local electoral board



members, the general registrar, and the Department of Elections. §14.3.1 discusses the importance of the officers of election. It is very important that general registrars and local electoral board members are familiar with the duties of the officers of election because this position is critical in verifying results. §14.3.2 focuses on the general registrar, whose role for the canvass includes bringing necessary supplies and ensuring that required documents are provided. §14.3.3 examines how the electoral board members fit into canvassing as their presence is important for counting and verification purposes.

§14.4 concludes the chapter by giving a brief overview of what should occur after the canvass, which is primarily the responsibility of the general registrar and electoral board members. §14.4.1 discusses required filings regarding campaign finance reports, while §14.4.2 dives into the certificates of election that the local electoral board sends out. §14.4.3 closes the canvass chapter by discussing the work of general registrars, such as sending out rejection letters to provisional and absentee ballot voters.

While conducting a canvass seems complex, the canvass can be completed smoothly if each entity is aware of how their responsibilities fit within the process.

## 14.2 PREPARING FOR CANVASS

### 14.2.1 Basics of the Meeting

The canvass is a meeting of the electoral board; thus, the Virginia Freedom of Information Act applies.<sup>1</sup> Refer to [Handbook Chapter 2: Local Electoral Board](#) for additional information on public meeting requirements.

For the most part, the canvass is open to the general public, who may attend all or a portion of the meeting.<sup>2</sup> The provisional ballots meeting, however, is the only part of the canvass that takes place during a closed session and therefore is not open to the public. Closed session allows for deliberations and the presentation of evidence by a provisional voter for qualification purposes and for this reason is exempt from the Virginia Freedom of Information Act. The vote by the electoral board to approve or reject a provisional ballot is done in open session, pursuant to Code of Virginia §2.2-3710(A).<sup>3</sup> For additional information on the provisional ballot process, please see [Handbook Chapter 13: Provisional Ballots](#).

Notice of the date, time, and location for the provisional ballots meeting and the canvass must be given to the public by the electoral board at **least three business days** prior to the meeting date.<sup>4</sup> While the canvass is required to begin no later than 5:00 PM on the day after the election, results from the canvass cannot be certified and submitted to the Department of Elections until all provisional ballots have been addressed.

#### 14.2.1.1 When to Meet



The electoral board should proceed with canvassing immediately following adjourning the provisional ballots meeting, which is when qualifications of those persons who cast provisional

<sup>1</sup> See Code of Virginia [§2.2-3707](#).

<sup>2</sup> See Code of Virginia [§24.2-653\(B\)](#). See also Code of Virginia [§2.2-3712](#).

<sup>3</sup> See Code of Virginia [§2.2-3710\(A\)](#).

<sup>4</sup> See Code of Virginia [§2.2-3707](#).



votes is determined.<sup>5</sup> The electoral board must begin the canvass no later than **5:00 PM on the day after the election**.<sup>6</sup> The board may adjourn as needed, not to exceed six calendar days for June Primaries and ten calendar days for the November General from the date of the election, unless an extension has been granted for a risk-limiting audit (RLA).<sup>7</sup>

Before the electoral board can meet, the officers of election must deliver election materials on the night of the election to the clerk of the circuit court's office or the office of the general registrar.<sup>8</sup> If the officers of election do not deliver the materials before the canvass to the clerk or the office of the general registrar, the clerk of the circuit court must have law enforcement retrieve the materials.<sup>9</sup> This is discussed in greater detail in 14.2.3.

### 14.2.1.2 Where to Meet

The electoral board must hold the meeting "at the clerk's or general registrar's office of the [locality] for which they are appointed" and "may adjourn to another room of sufficient size in a public building."<sup>10</sup> The board has some discretion in determining where the canvass should take place. Written directions to the location of any room other than the clerk's or general registrar's office where the board will meet shall be posted at the doors of the clerk's and general registrar's offices prior to the beginning of the meeting.<sup>11</sup>

### 14.2.1.3 Attendance

No person, regardless of official function or statutory right to be present, may disrupt the meeting or interfere with the canvass in any way. Inform unruly individuals that interruptions can cause errors and explain that questions concerning each precinct will be taken *after* work concludes but *before* the electoral board reseals the pollbooks, pollbook count forms, and the statement of results (SOR) for the precinct back into Envelope #2.

### 14.2.1.4 Whose Attendance is Required:



All members of the electoral board *should* be present for the canvass; however, it is only mandatory that two members be present. In the event one member is unable to attend, two members of the electoral board constitute a quorum and may proceed with the canvass.<sup>12</sup> The member of the board that is unable to attend should notify ELECT.

When conducting a canvass, the secretary must be present. If the official secretary is unable to attend the canvass, the board members must elect one of the remaining board members to act as secretary.<sup>13</sup> In acting as secretary, the board member must sign any official documents regarding the canvass as "acting secretary".

When conducting a canvass, **only those members of the board present during the entire**

<sup>5</sup> See GREB Handbook Chapter 13, Provisional Ballots, for more information on the provisional ballot meeting.

<sup>6</sup> See Code of Virginia [§24.2-671](#).

<sup>7</sup> *Id.*

<sup>8</sup> See Code of Virginia [§24.2-668](#).

<sup>9</sup> See Code of Virginia [§24.2-670](#).

<sup>10</sup> See Code of Virginia [§24.2-671](#).

<sup>11</sup> *Id.*

<sup>12</sup> See Code of Virginia [§24.2-107](#).

<sup>13</sup> See Code of Virginia [§24.2-106\(B\)](#).

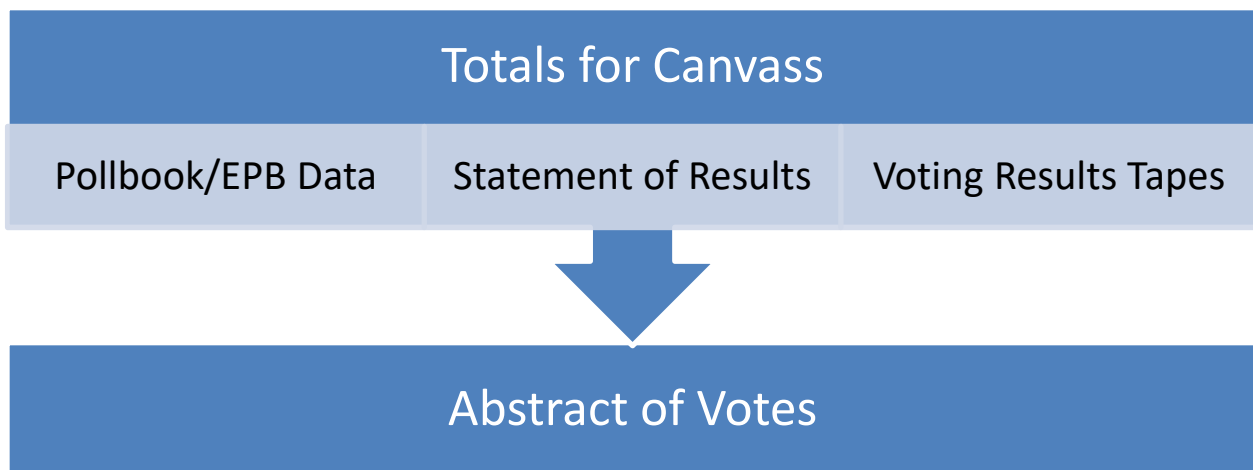


**canvass may legally sign any document concerning it.** If you attach a signature of a member that was not present at the canvass or a member that was present does not sign, the electoral board must reconvene.

#### 14.2.1.5 Whose Attendance is Optional:

During a primary election, each candidate is entitled to have as many representatives as there are teams of officials working to ascertain the results. In a general and/or special election, each political party and each independent candidate can have as many representatives as there are teams working to ascertain the results. The electoral board must use a room of sufficient size to accommodate these individuals. These individuals must be allowed an unobstructed view of the proceedings.

### 14.2.2 Required Totals for Canvass



#### 14.2.2.1 Pollbook and Pollbook Count Sheet

A pollbook is either a printed (PPB) or electronic (EPB) list of all the eligible voters for a given precinct, in a given election. Pollbooks list each eligible voter by last name and includes their ID number, full name, year of birth, town code (if applicable), super-district (if applicable), residence address, and mailing address. Additionally, a voter may have a pre-printed code beside their name to indicate one of the following:

- Voter requested an absentee ballot (AB).
- Individual is a temporary or federal overseas voter (T or F).
- Individual is a permanently registered overseas voter (R).
- Voter moved within the jurisdiction or is inactive (?).
- Voter has an assigned number instead of a social security number (A).
- Voter utilized Same Day Registration (SDR)

The pollbook count sheet is a tally sheet used by officers of election to track the number of voters who checked in on election day. If an electronic pollbook (EPB) is used, this count is



tracked automatically. A pollbook count sheet template can be found in [FormsWarehouse > Election Management](#).

#### 14.2.2.2 Statement of Results (SOR)

The SOR is a worksheet officers use to submit the results for each precinct.<sup>14</sup> After polls close, officers of election begin to ascertain the votes by completing the SOR. Officers use materials such as the results tapes to complete the SOR. Officers of election must complete certain fields on the SORs such as: the number of voters checked-in at the pollbook, the number of voters that voted outside the polling place (“curbside”), and the number of ballots cast on the voting machine. The electoral board, then, verifies this information.<sup>15</sup> SOR templates can be found in [FormsWarehouse > Statement of Results and Other Results](#).

#### 14.2.2.3 Voting System Results Tapes

Optical scanning machines produce tapes prior to an election and once the election is completed. The tapes produced prior to the beginning of the election are known as Zero Tapes while the printouts at the end of the election are the results tapes. Your printouts from the end of the night will have a total number of votes and, if applicable, tapes of any write-in names. Zero tapes and results tapes must be certified by the officials on election night; thus, each officer of election must sign these documents and submit an ELECT-658 Printed Return Sheet for all machines within the polling place. A printed return sheet template can be found in [FormsWarehouse > Statement of Results and Other Results](#).

Optical scanning machines that are used in the Central Absentee Precinct (CAP) will also produce a result tape with office and issue results listed by the Election Day precincts. This result tape should be provided to the General Registrar so that the effort to confirm CAP by Precinct election results may be verified and corrected as needed. The electoral board should focus its attention on the cumulative results tapes and write in tapes.

#### 14.2.2.4 Abstracts of Votes Cast

The Enhanced Results “Certification” report (Abstract of Votes) is generated after vote totals for each office or issue are submitted into Enhanced Results and confirmed correct. Once all data entered into Enhanced Results is confirmed correct, the local electoral board should have the general registrar or staff retrieve the Abstract of Votes. The Abstract may need to be supplemented with the ELECT-675 Write-Ins Certification and Continuation if a write-in candidate wins **or** the total number of write-in votes cast for the office is 10% or more of the overall votes cast for the office. In the 10% situation, when you generate the abstract in Enhanced Results, there will be a note on the abstract notifying you that an ELECT-675 Write-Ins Certification and Continuation is required for the office. The Write-Ins Certification can be found in [FormsWarehouse > Election Management](#)



Note: The ELECT-675 Write-Ins Certification and Continuation is a different document from the SOR Write-Ins Certification.

---

<sup>14</sup> See Code of Virginia [§24.2-654](#).

<sup>15</sup> See Code of Virginia [§24.2-671](#).



### 14.2.3 Election Materials Provided to the Clerk of Court and the General Registrar

Envelope 2 or 2B and Envelope 2A are used to deliver elections materials to the clerk of court or to the general registrar.<sup>16</sup> Artwork of these envelopes to provide to your printer can be found in [FormsWarehouse > Print Ready Materials Artwork](#). The Circuit Court Clerks Guidance memo that outlines all envelopes used to store election records and related items can be found in [FormsWarehouse > Election Management](#).

The clerk of court must receive a copy of the return sheets, a copy of the inspection sheet, and a copy of the SOR to comply with Code of Virginia §24.2-658, which requires the return sheets be made available the day after the election and for 60 days thereafter for public inspection and transcription, regardless of the method of delivery chosen from Code of Virginia §24.2-668.<sup>17</sup>

The Code of Virginia §24.2-668 provides 2 methods for delivering the two Envelopes to the clerk of court and the general registrar.

1. If the officers of elections are directed to give the clerk of court the election materials outlined in Code of Virginia §24.2-668(A), the officers of elections must deliver the materials no later than noon of the day following the election. The clerk of court is to retain Envelope 2A and provide the electoral board with Envelope 2 or Envelope 2B for the canvass.<sup>18</sup>
2. If the officers of elections are directed to give the election materials to the general registrar, as provided in Code of Virginia §24.2-668(B), on the night of the election or the morning following the election, the general registrar is to provide Envelope 2 or Envelope 2B and the election materials therein to the electoral board and provide the clerk of court Envelope 2A for the required public inspection and preservation of records.<sup>19</sup> All other election materials outlined in Code of Virginia §24.2-668(A) shall be provided by the general registrar to the clerk of court by noon on the day following the ascertainment of the results of the election by the electoral board.

---

<sup>16</sup> See Code of Virginia [§24.2-668](#).

<sup>17</sup> See Code of Virginia [§§24.2-658](#) and [24.2-668](#).

<sup>18</sup> See Code of Virginia [§24.2-668\(A\)](#).

<sup>19</sup> See Code of Virginia [§24.2-668\(B\)](#).







### Juneteenth Holiday

Juneteenth is a federal and state holiday that occurs on June 19<sup>th</sup> every year. As the June primary is set on the third Tuesday of June, Juneteenth may occur in the days following the June primary election, affecting canvass.

If Juneteenth occurs on the day following the primary when canvass typically begins the clerk of court's office may be closed that day, and the electoral board will need to choose how election materials will be delivered to the clerk of court's office in this situation.

Electoral boards have 3 options:

1. **Officers of election may deliver materials to the clerk of court on election night.** Please keep in mind that if this option is selected, coordination will have to take place with the clerk of court as this will fall outside of normal business hours.
2. **Officers of election may deliver election materials by noon the day following Juneteenth.** Code of Virginia §1-210 directs that when a deadline falls on a legal holiday or day when the clerk's office is closed, as authorized by an act of the General Assembly, that the act may be performed on the next day that is not a Saturday, Sunday, legal holiday, or day or part of a day on which the clerk's office is closed by an act of the General Assembly. Therefore, localities may adjust their post-election timelines by delaying the delivery of election materials to the next business day.
3. **Officers of election may be directed to convey the elections materials to the principal office of the general registrar on election night or the morning after.** The general registrar will deliver the election results to the clerk by noon on the day following the ascertainment of the results of the election by the electoral board. Pursuant to Code of Virginia §§24.2-668(B) and 24.2-659(G), the general registrar will be responsible for securing and retaining these materials in their office, in addition to delivering the results by noon on the day following the conclusion of the local canvass.

Electoral boards may still choose to begin canvass on Juneteenth. The occurrence of Juneteenth in the days following the June primary, much like Veterans Day in November, does not extend canvass, the ballot cure deadline as set out in Code of Virginia §24.2-709.1(C), the absentee deadline as set out in Code of Virginia §24.2-709(B), or the provisional deadline as set out in Code of Virginia §24.2-653(B).

## 14.3 CONDUCTING THE CANVASS

The purpose of the canvass is to compile and certify vote totals and voter turnout for each precinct within your locality. The canvass requires actions by the officers of elections, general registrar, and the electoral board, all of which are transmitted by the general registrar or staff to the Department of Elections via Enhanced Results for website publishing. The purpose of this section is to understand the responsibilities of each entity within the canvass process.

More information on the steps that need to be taken during canvass can be found in the Department of Elections' [Learning Management System \(LMS\)](#) courses: Enhanced Results Training Materials and Election Night and Post-Election Process.



### 14.3.1 Duties of the Officers of Election

The officers of election are critical to the canvass process because the officers begin the process by ascertaining, or verifying, vote totals for each machine on election night. Information that is collected and verified by the officers of election will be provided to the general registrar and the local electoral board for certification. For more details, see the ELECT-103EDG and ELECT-103CAP Election Day Guides found in [FormsWarehouse > Election Management](#).

Officers of election must accurately complete:

- The pollbook count form (except when an electronic pollbook is used),
- Duplicate SORs,<sup>20</sup> and
- Produce the voting equipment printouts (e.g., results tapes, precinct consolidation tape or final precinct report).<sup>21</sup>



#### Best Practice

In certifying returns provided by officers of election, the general registrar or electoral board may discover discrepancies in the totals provided. To correct any discrepancies, the board must summon the officers of election to the canvass at which point the discrepancy can be amended and signed by the officers (Code of Virginia §24.2-672). The officers should be required to appear either on the day of the canvass or no later than the following day.

If it is necessary to summon officers to correct errors, the material used must be returned to its original envelope and set aside until they appear. If the officers of election cannot appear on a particular day during the canvass, follow the instructions for packaging and re-open the envelope when the officers appear.

### 14.3.2 Duties of the General Registrar

The duties performed by the general registrar for the canvass break down into two sections: Before the Election and After the Canvass. The specifics of each section are described below and in Chapter 10 of this Handbook.

#### 14.3.2.1 Before the Election

The general registrar should:

- Review all training materials found in the Department of Elections' [Learning Management System \(LMS\)](#) course: Enhanced Results Training Materials.
- Review all items found in the [LMS](#) course: Election Night and Post-Election Process.
- Attend Enhanced Results online training webinars put on by the Department of Elections.
- Review the election in Enhanced Results for accuracy of precincts, offices, candidates, and issues.

<sup>20</sup> See Code of Virginia §§24.2-657 and 24.2-668.

<sup>21</sup> See Code of Virginia §24.2-657.



- Enter data and test in Enhanced Results (while the election is in testing mode) to ensure familiarity with how to enter data election night and after.
- Export the fillable excel in Enhanced Results (this replaces the County/City Results Report that used to be run in VERIS). For more information see the Enhanced Results Training Materials in LMS.
- Print the Definitions document found in [FormsWarehouse > Election Management](#) for the electoral board to use as a reference.

#### 14.3.2.2 After the Canvass

After the canvass is complete, the general registrar should make available for public inspection one copy of each of the following:<sup>22</sup>

- Enhanced Results exported fillable excel or similarly generated spreadsheet (if applicable).
- SOR for each precinct.
- SOR Write-Ins Certification completed by the officers of election for each precinct (if applicable).

These documents may also be copied by the public with their own device or they may purchase a copy pursuant to Code of Virginia §17.1-275(A)(8).

#### 14.3.3 Duties of the Electoral Board

The electoral board completes and certifies the abstract of votes. To create the abstract of votes, the officers of election supply the SOR to the electoral board who reviews these documents and certifies them. This process is the ascertainment of results. Much of this process is completed through Enhanced Results by the general registrar or their staff. The general registrar should refer to the Enhanced Results training materials found in the Department of Elections' [Learning Management System \(LMS\)](#) course: Enhanced Results Training Materials.



Note: Once all local winners are confirmed and before generating the Abstracts of Votes, the general registrar must mark the winners as such in Enhanced Results. For more information refer to the Enhanced Results training materials found in the [LMS](#) course: Enhanced Results Training Materials

##### 14.3.3.1 Processing the Statements of Results (SORs)

SOR templates can be found in [FormsWarehouse > Statement of Results and Other Results](#). Officers of election must submit two copies of the SOR for each precinct. Each copy should be checked for discrepancies by the electoral board members, a Democratic board member and a Republican board member should each check a copy for matching information.

In large localities, it may be necessary to employ teams of two people to perform this function under the direct supervision of board members. In this case, each team should be comprised of one Democrat and one Republican. Each should check one copy of the SOR to ensure

<sup>22</sup> See Code of Virginia [§24.2-671](#).



matching information, and all required signatures have been entered.

- Electoral board members should ensure that all voting systems in the polling location are properly accounted for in the SOR and that all machine tapes from all voting systems in use are present.
- Compare the number of voters voting with the total number shown as voting on the SOR. This is done by checking either the last page of the pollbook count sheet or the “Checked-In” count from the EPB. If they do not agree and no statement adequately explaining the disagreement has been entered, the officers must be called in to correct the SORs or to enter the missing explanation.<sup>23</sup>



#### Law Note

**Never** open the sealed envelope or receptacle containing voted ballots unless authorized to do so by the Commissioner of the Department of Elections, by order of a Court (*e.g.*, in a recount or contest), or as part of a risk-limiting audit pursuant to Code of Virginia §24.2-671.2. **Opening the sealed counted ballots envelope or receptacle for any other reason could constitute illegal tampering, which is subject to prosecution as a felony** per Code of Virginia §24.2-1009.

- Officers may have to look at counted ballots or examine voting machines to correct discrepancies in the returns. If this is the case, authorization must be granted by the Department of Elections **before** proceeding further with that precinct. The registrar or an electoral board member must complete the [ELECT-659 Request to Inspect Sealed Election Materials form](#).<sup>24</sup> Once the request has been approved by the Department you will receive an email confirmation with the completed, signed form.
  - Each political party and each independent candidate on the ballot (in a primary, each candidate) is entitled to have a representative during this process.<sup>25</sup> Parties and candidates must be provided with a reasonable advance notice of the time and place of the inspection. The representatives must have an unobstructed view of the proceedings but cannot interfere in any way.<sup>26</sup>

The electoral board is required to notify the Department of Elections when changes are made to the SOR, or later, to its certified abstract, and include a reason, which will be posted to the Department of Elections website.<sup>27</sup> Revisions may be made to the data entered in Enhanced Results without notifying the Department up to the point at which abstracts are submitted to the Department via the Abstract Submission Forms site form. If changes need to be made after the Department has approved the submitted abstracts, notify your ERS Liaison right away of what changes need to be made and why. They will instruct you how to move forward with making the required changes in Enhanced Results and/or submitting the revised abstract.

<sup>23</sup> See Code of Virginia [§24.2-672](#).

<sup>24</sup> See Code of Virginia [§24.2-659](#).

<sup>25</sup> See Code of Virginia [§24.2-671](#).

<sup>26</sup> See Code of Virginia [§24.2-671](#).

<sup>27</sup> See Code of Virginia [§24.2-671](#).



- Once the results are ascertained, the secretary of the board must return to the clerk:
  - all pollbooks,
  - any printed inspection and return sheets, and
  - one copy of each SOR.<sup>28</sup>

### 14.3.3.2 Write-in Votes

Write-in votes cannot be cast in primary elections.<sup>29</sup> For general and special elections localities must always report the **total** number of write-in votes for an office.

Accounting for write-ins may be accomplished either manually or by computer. If using a computer, entry is done office-by-office, district-by-district, of the names of persons receiving write-ins and the votes each received. Invalid votes for each office and its district should also be included. The names can then be sorted (including names entered as “Invalid”) along with the number of votes received by everyone in each precinct.



#### Best Practice

Determining what may be counted as a write-in vote for a particular candidate often requires determining voter intent. Any abbreviation, misspelling, or other minor variation in the form of the name of a candidate or a political party should be disregarded in determining the validity of the vote, if the intention of the voter can be ascertained. Write-in candidates should be instructed to educate voters on using the candidate’s full name.

In an election for a local office in a locality or town with a **population of no more than 4,000 persons**:

- If the person having the highest number of votes for the office is elected by write-in votes and is not qualified to hold such office or declines to assume such office, the person having the second highest number of votes shall be deemed to have been elected to such office and shall receive the certificate of election.
- In the event that the person having the second highest number of votes is not qualified to hold such office or declines to assume such office, the person having the third highest number of votes shall be deemed to have been elected to such office and shall receive the certificate of election.
- In the event that the person having the third highest number of votes is not qualified to hold such office or declines to assume such office, a vacancy shall be declared and filled by special election.<sup>30</sup>

In all other cases, if the person having the highest number of votes for the office is elected and is not qualified to hold such office or declines to assume such office, a vacancy shall be declared and filled by special election.

Once the write-in winner is determined, the general registrar will need to create a candidate

<sup>28</sup> See Code of Virginia [§24.2-671](#).

<sup>29</sup> See Code of Virginia [§24.2-529](#).

<sup>30</sup> See Code of Virginia [§24.2-673\(B\)](#).



line for them in Enhanced Results and move their results out of the Write-In “bucket” row and into the newly created candidate row on the Summary Entry page and all applicable Detailed Results Entry precinct pages. For more information refer to the Enhanced Results training materials found in the [LMS](#) course: Enhanced Results Training Materials.

All valid write-in votes for each office must be counted by the Electoral Board even if no candidate received at least 10% or no write-in candidate won the election. The Electoral Board must record the valid write-in votes in the minutes of the canvass meeting.<sup>31</sup>

**An ELECT-675 Write-Ins Certification and Continuation is required when:**

- A write-in candidate wins the election.

**OR**

- The write-in vote total for an office is 10% or more of the total votes cast for the office.<sup>32</sup>

In this situation, when you generate the abstract in Enhanced Results, there will be a note on the abstract notifying you that an ELECT-675 Write-Ins Certification and Continuation is required for the office.

The ELECT-675 Write-Ins Certification and Continuation can be found in [FormsWarehouse > Election Management](#).

In each instance, the electoral board must complete the ELECT-675 Write-ins Certification and Continuation. The Certification form tallies valid, invalid, and total votes received for the write-in candidates.



Note: The ELECT-675 Write-Ins Certification and Continuation is a different document from the SOR Write-Ins Certification.

The ELECT-675 Write-Ins Certification and Continuation provides space for reporting all the write-in votes cast. The **valid** write-in votes should be listed in alphabetical order. If the electoral board develops its own list of valid write-in votes in a similar way as the Continuation page, that list may be used in lieu of the Continuation page. Newer voting systems permit the production of a write-in report from the voting systems themselves. This report is also acceptable and may be used in lieu of the Continuation page.

### 14.3.3.3 Voter Turnout

A voter turnout number must be determined for each precinct involved in an election. Voter turnout is the total number of individuals who attempted to vote in an election. For more information review the Definitions document found in [FormsWarehouse > Election Management](#).

The voter turnout number should be listed on the precinct’s SOR. Once voter turnout has been determined for each precinct, the general registrar or staff will need to enter the information into Enhanced Results.

<sup>31</sup> See Code of Virginia [§ 24.2-671](#)

<sup>32</sup> See Code of Virginia [§§24.2-671](#) and [24.2-675](#).



#### 14.3.3.4 Enhanced Results Data Validation, Enhanced Results and VERIS Reports Available to Confirm Accurate Election Results

After entering the election results and voter turnout into Enhanced Results general registrars should analyze and resolve all data validation errors that are flagged in the Data Validation section in Enhanced Results. Any data validation errors that cannot be cleared must be explained. The general registrar should include an explanations document with the Abstracts in the [Abstracts of Votes Submission form](#).

There are several reports in Enhanced Results that can be run to help find and resolve validation errors. Additionally, exporting the precinct results excel spreadsheet from Enhanced Results may prove to be helpful in finding errors. For more information refer to the Enhanced Results training materials found in the [LMS](#) course: Enhanced Results Training Materials.

After entering/uploading voting credit into VERIS, the Enhanced Results Voter Turnout report should be compared to the VERIS Voting Credit Audit by Locality report (found in VERIS > Reports Library > Election) and any discrepancies should be corrected or explained. If it is determined that the credit was entered/uploaded incorrectly in VERIS, the general registrar should submit a System Support JIRA ticket as soon as possible so ELECT IT staff can research and help resolve any issues found. The general registrar should provide their ERS Liaison with the ticket number so they can help facilitate a timely resolution.

If the general registrar or electoral board needs assistance in interpreting data validation errors or reports, they may contact their ERS Liaison or the ERS Election Administration team.

#### 14.3.3.5 Processing the Abstracts of Votes

Once all local winners are confirmed and before generating the Abstracts of Votes, the general registrar must mark the winners as such in Enhanced Results. For more information refer to the Enhanced Results training materials found in the [LMS](#) course: Enhanced Results Training Materials



Note: If there is a write-in winner, before generating the Abstracts, the general registrar will need to create a candidate line for them in Enhanced Results and move their results out of the Write-In “bucket” row and into the newly created candidate row on the Summary Entry page and all applicable Detailed Results Entry precinct pages. For more information refer to the Enhanced Results training materials found in the [LMS](#) course: Enhanced Results Training Materials.

Registrars generate the Abstracts of Votes in Enhanced Results. For more information refer to the Enhanced Results training materials found in the [LMS](#) course: Enhanced Results Training Materials.

For each office, complete one Abstract and, if the total write-in votes for an office equals 10% or more of the total number of votes cast for the office **or** a write-in candidate wins the election, the ELECT-675 Write-Ins Certification and Continuation (found in [FormsWarehouse > Election Management](#)). If applicable, complete one Abstract for each referendum issue.

For offices, make **three** copies of each completed and signed Abstract and, if required for the office, the ELECT-675 Write-Ins Certification and Continuation. For issues, make **four** copies of the Abstract. The Secretary must sign each copy, attesting that it is a true copy, and affix the





seal of the electoral board.

- All members of the electoral board who participate in the canvass must sign each original Abstract and ELECT-675 Write-Ins Certification and Continuation (if applicable) **before** the secretary affixes the seal of the electoral board and second signature.
- Preserve one attested copy of each Abstract and, if required for the office, the Write- Ins Certification and Continuation as part of the minutes of the meeting at which the results were ascertained.<sup>33</sup> Place the originals (unattested) in a file to be kept with the minute book.

**A tie may occur** when two or more candidates for any such office receive the same (and highest) number of votes. To determine the winner, follow the procedures in the next section, Determination of Tied Results.

**Write-in vote totals may also need to be certified**, pursuant to Code of Virginia §24.2-675.

- If it is determined that an ELECT-675 Write-Ins Certification and Continuation form is necessary, follow the instructions on the form to ensure it is completed accurately:
  - Enter the appropriate numbers in the Write-Ins Summary section (Lines 1, 2, and 3).
  - Enter, in alphabetical order, the **valid** names of persons receiving write-in votes and the number of votes received by each in the Valid Write-Ins – Detail section.
  - The Continuation page should be copied as many times as needed for a complete reporting of valid write-in names.
- If a write-in candidate appears to have received the highest number of votes for an office, therefore winning the election, the general registrar will need to create a candidate line for them in Enhanced Results and move their results out of the Write-In “bucket” row and into the newly created candidate row on the Summary Entry page and all applicable Detailed Results Entry precinct pages. For more information refer to the Enhanced Results training materials found in the [LMS](#) course: Enhanced Results Training Materials.
- To ensure accuracy of reporting on the ELECT-675 Write-Ins Certification and Continuation:
  - Adding Write-Ins – Summary section lines 1 Invalid Write-Ins and 2 Valid Write-Ins must equal line 3 Total Write-Ins.
  - The total on line 2 Valid Write-Ins in the Write-Ins – Summary section must equal the total of all votes for everyone listed in the Valid Write-Ins – Detail section (including Continuation pages).
  - The Write-Ins – Summary section line 3 Total Write-Ins total must equal the total votes on the Abstract for the write-in winner plus the write-in “bucket”.
- The other criteria for candidacy still need to be met by a write-in winner, including campaign finance reports.

---

<sup>33</sup> See Code of Virginia [§24.2-675](#).





### 14.3.3.6 Determination of Tied Results

If the results of the election for any of the offices certified by the electoral board (those set forth above) indicate that two or more candidates received the same (and highest) number of votes, the electoral board must first check and double check again the total votes cast for each candidate. If no error is found, determine the successful candidate by lot conducted by the electoral board at a meeting open to the public.<sup>34</sup>

Notify the candidates involved so that they or their representatives may be present for the drawing. The board should continue with the drawing even if a candidate's representative fails to show.<sup>35</sup> In any event, ensure that witnesses are present.

To conduct the drawing, take the following steps:

1. Enter the name of each of the candidates receiving a tie vote on a separate slip of opaque paper.
2. Exhibit the slips, one at a time, to any interested person who is present.
3. Fold each slip and seal it, individually, in an opaque envelope or other small opaque container.
4. Place all envelopes or containers in another opaque container large enough to mix them thoroughly.
5. Shake the container thoroughly and have one of the members of the electoral board draw out one envelope or container to select the winner.

### 14.3.3.7 Where to Send Abstracts/ Write-Ins Certifications and Continuations

As soon as the canvass is concluded and the Abstracts are signed and attested, but no later than the tenth day after the election for the November General, sixth day after for the June Primary, the general registrar must submit the following to the Department of Elections using the [Abstract of Votes Submission form](#).

- One of each attested Abstract
- One of each ELECT-675 Write-Ins Certification and Continuation (not applicable for Primaries)
- If applicable, a document containing explanations for all uncleared validation errors, discrepancies between credit and turnout, and any other explanations or documentation that will help the Department in their review.
- One of each ballot, voided



The general registrar and electoral board should stand ready to respond immediately to any requests from the Department of Elections for additional information and/or correction of any errors found during their review.



Only after the Department of Elections authorizes, mail the following to the Department of Elections, Attn: Abstracts:

<sup>34</sup> See Code of Virginia [§24.2-674](#).

<sup>35</sup> *Id.*



- One of each attested Abstract
- One of each ELECT-675 Write-Ins Certification and Continuation (not applicable for Primaries)
- A completed Election Results Certification Checklist – ELECT-103(A) (found in [FormsWarehouse > Election Management](#))
- Only if you were unable to submit electronically, one of each voided ballot

For **general** elections: forward a copy of each attested abstract for recording in the record book of the local governing body to the following:<sup>36</sup>

- To the Clerk of the City Council or Board of Supervisors,
- For town elections, send the documents to the Clerk of the Town Council,
- For local referenda, to the Circuit Court Clerk of the locality.

For **primary** elections: unless directed otherwise by the Department of Elections, forward a copy of each attested abstract to the following:

- For U.S. House of Representatives, to the congressional district party committee.
- For General Assembly, to the party chair of the Senate or House of Delegates district.
- For constitutional offices including those shared by more than one county or city, to the party chair of each county or city.
- For all county, city, or local district offices, to the chair of the county or city of the party holding the primary.<sup>37</sup>
- For United States President, United States Senate, Governor, Lieutenant Governor, and Attorney General do **not** send to any political party chair

#### 14.3.3.8 Requesting a Risk-Limiting Audit for a Local Contest

Pursuant to Code of Virginia §24.2-671.2(D) a local electoral board may request a local race be a part of the risk-limiting audits chosen by the State Board of Elections. The local electoral board may hold a vote during the canvass to select a contested race wholly contained within the jurisdiction of the county or city to audit.<sup>38</sup> The contest must have a margin greater than or equal to 1%.<sup>39</sup>

If the local electoral board approves by a majority vote the request for an audit, the local electoral board must submit an SBE-671.2(D) Request for Risk-Limiting Audit form (found in [FormsWarehouse > Risk Limiting Audit](#)) to the State Board of Elections for consideration.<sup>40</sup> If the request is granted by the State Board of Elections an extension may be granted, up to two weeks, for the electoral board's certification deadline.

<sup>36</sup> See Code of Virginia [§24.2-675](#).

<sup>37</sup> *Id.*

<sup>38</sup> See Code of Virginia [§24.2-671.2\(D\)](#). See also Virginia Administrative Code [IVAC20-60-80](#).

<sup>39</sup> See Virginia Administrative Code [IVAC20-60-80](#).

<sup>40</sup> *Id.* See also [SBE-671.2\(D\)](#).



### 14.3.3.9 Responsibility for Certification of Results

The State Board of Elections is responsible for the final certification of the results of most offices and issues that cross locality lines, i.e. federal, statewide, General Assembly, shared constitutional, and Soil and Water Conservation Directors.<sup>41</sup> Review Code of Virginia § 24.2-601 for responsibility information on shared towns.<sup>42</sup>

The local electoral board is responsible for the final certification of the results of all local offices and issues that are wholly contained within the locality.<sup>43</sup> Review Code of Virginia § 24.2-601 for responsibility information on shared towns.<sup>44</sup>

### 14.3.4 Duties of the Department of Elections

To verify the accuracy of the Abstracts of Votes, Election and Registration Services (ERS) staff will review and compare the data entered in Enhanced Results by the locality. They will then compare the results totals entered in Enhanced Results to the totals on the attested Abstracts submitted by the locality. ERS staff will notify the general registrar of any errors or questions found immediately after their review is complete.

Upon notification by ERS staff that there are errors or questions that need to be resolved, the general registrar or the electoral board, as appropriate, are required to correct any errors found and answer questions posed immediately and swiftly. If the locality is unable to correct an error, they must provide an explanation as to why.<sup>45</sup>

SBE Policy 2023-001 – Counting and Reporting Results of Absentee Ballots from a Central Absentee Precinct (found on the Department of Elections [website](#)) directs the Department of Elections to post the results of absentee ballots cast in-person during early voting and all other absentee ballots cast by precinct to its website by no later than noon on the seventh calendar day following an election.<sup>46</sup> Localities must have all of their results entered by this deadline.<sup>47</sup> The Department of Elections will post to its website comprehensive reports indicating, for each precinct, the actual election results, and other vital information such as voter turnout percentages and percentages of votes cast for each candidate.

## 14.4 AFTER THE CANVASS

### 14.4.1 Certificates of Election

A certificate of election cannot be provided to the candidate with the highest number of votes until the individual complies with campaign finance reporting requirements.<sup>48</sup> The following conditions must be met:

---

<sup>41</sup> See Code of Virginia [§24.2-680](#).

<sup>42</sup> See Code of Virginia [§ 24.2-601](#).

<sup>43</sup> See Code of Virginia [§24.2-671](#).

<sup>44</sup> See Code of Virginia [§ 24.2-601](#).

<sup>45</sup> See Code of Virginia [§24.2-675](#).

<sup>46</sup> See [SBE Policy 2023-001](#).

<sup>47</sup> *Id.*

<sup>48</sup> See Code of Virginia [§24.2-948.2](#).



- The candidate has filed all campaign finance reports required in Code of Virginia §24.2-947.6(A)(3)-(9), §24.2-947.7(A)(3)-(6), and §24.2-947.8(B)(1) & (2), as applicable.
- A final report has been filed, if required by Code of Virginia §24.2-948.1(C).
- The candidate has responded to and complied with any notice that additional information is needed to complete any required report.<sup>4951</sup>
- The candidate has paid any civil penalty and returned any contribution required to be returned.<sup>50</sup>

Notify candidates for any of the offices who fail to file the required reports of campaign contributions and expenditures that, if such reports are not filed, the electoral board will be required to report to the Commonwealth's Attorney that the candidate has failed to comply with reporting requirements and may be subject to prosecution.<sup>51</sup> Report to the Commonwealth's Attorney, in writing, any candidate who fails to file any required report by the deadline set in the notification letter.



The certificate of election is made out by the secretary of the electoral board once the board has determined the election results and verified with the general registrar each winning candidate's compliance with Code of Virginia §24.2-948.2.<sup>52</sup> The secretary must make out a certificate for each person who received the highest number of votes. Two sample certificate templates can be found in [FormsWarehouse > Election Management](#). The dates entered for the beginning and end of the term of office must be correct for the specific office being certified. If the election was a special to fill a vacated seat, the certificate must indicate this. Your local government attorney can be consulted if needed.

The secretary of the electoral board is responsible for issuing the certificates of election for all offices that are wholly contained within the locality.<sup>53</sup> Review Code of Virginia § 24.2-601 for responsibility information on shared towns.<sup>54</sup> The secretary or acting secretary must sign each certificate of election. If a certificate of election is withheld through Code of Virginia §24.2-948.2, the secretary must issue the certificate promptly once such issue is resolved.<sup>55</sup>

The State Board of Elections is responsible for issuing certificates of election for most offices and issues that cross locality lines, i.e. federal, statewide, General Assembly, shared constitutional, and Soil and Water Conservation Directors.<sup>56</sup> Review Code of Virginia § 24.2-601 for responsibility information on shared towns.<sup>57</sup>

For June primaries, the State Board of Elections must certify results fourteen days after the day of the election.<sup>58</sup> For November elections, the State Board must certify results on the first Monday of December. In the interim, Department of Elections staff will verify the accuracy of the

<sup>49</sup> See Code of Virginia [§24.2-953.3](#).

<sup>50</sup> See Code of Virginia [§24.2-948.2](#).

<sup>51</sup> See Code of Virginia [§24.2-946.3](#).

<sup>52</sup> See Code of Virginia [§24.2-676](#).

<sup>53</sup> See Code of Virginia [§24.2-680](#).

<sup>54</sup> See Code of Virginia [§ 24.2-601](#).

<sup>55</sup> See Code of Virginia [§ 24.2-948.2](#).

<sup>56</sup> See Code of Virginia [§24.2-680](#).

<sup>57</sup> See Code of Virginia [§ 24.2-601](#).

<sup>58</sup> See Code of Virginia [§ 24.2-534](#).



results each local electoral board has certified.<sup>59</sup>



The general registrar and electoral board should stand ready to respond immediately to any requests from the Department of Elections for additional information and/or correction of any errors found during their review.

A member of the electoral board or the general registrar may deliver a certificate in person or by certified mail.<sup>60</sup> Upon delivery, inform the person that the certificate should be exhibited to the officer who administers the oath of office as evidence of their election victory. An oath must be administered by a Clerk of Court of record, by any judge, by a Commissioner or Clerk of the State Corporation Commission or by the Secretary of the Commonwealth.

## 14.4.2 What to Do with Your Ballots

After completing canvass and all other duties related to closing the election (for example submitting abstracts), you should prepare all records and papers generated in connection with the election for retention. For instance, documents such as voter registration applications submitted during election day, should be entered into VERIS and digitalized or stored.

Pursuant to Code of Virginia §24.2-669, ballots - both counted and uncounted - are to be delivered to your Clerk of the Circuit Court for retention purposes. Your Clerk serves as the “owner” of the ballots. The length to which your clerk should keep the ballots is dependent on the type of election in which the ballots were generated.

For non-federal elections, your counted ballots will be retained for one year and then destroyed by the Clerk if no election contest or legal proceeding is pending. Your uncounted ballots may be destroyed after the time to call a recount has expired.

For federal election ballots:

- The Help America Vote Act (HAVA)<sup>61</sup> provides federal requirements and prohibitions related to election administration. One such requirement surrounds “all paper and records” generated in relation to voting or voter registration. HAVA requires your federal ballots be kept with your Clerk for twenty-two (22) months.
- Some voting equipment creates digital images of the ballots when determining the vote count. Per United States Code 52 USC 20701, these digital ballot images originating from a federal election must be retained for twenty-two (22) months.<sup>62</sup> If your locality’s voting system creates digital ballot images, these records must be maintained with the Clerk of the Circuit Court for twenty-two (22) months as mandated by federal law.
- The start time for your ballots’ retention period begins on the date of the federal election. These retention requirements are only applicable when a federal office is on the ballot. This requirement is in addition to all other requirements of Title 24.2 of the Code of Virginia to preserve election materials.<sup>63</sup>

If your locality falls under this requirement as it pertains to digital ballot images, you may

<sup>59</sup> See Code of Virginia [§24.2-679](#).

<sup>60</sup> See Code of Virginia [§24.2-676](#).

<sup>61</sup> See [HAVA of 2002](#)

<sup>62</sup> See United States Code [52 USC 20701](#)

<sup>63</sup> See Code of Virginia [Title 24.2](#)



choose to transfer the records from the original data storage device to another device to ensure compliance with federal law. If your locality chooses to transfer these records to another device, ensure the transfer was properly executed prior to sealing the records. Work closely with your vendor and IT support in your locality.

### 14.4.3 Letters to Voters whose Provisional or Absentee Ballots are Rejected

After the canvass, the general registrar must notify, in writing, all persons whose provisional or absentee ballot were not counted because they were determined to be unqualified to have their vote counted in the election.<sup>64</sup> The reason for this determination must be entered into VERIS; doing so will produce the required correspondence for mailing.<sup>65</sup> The registrar must search and manually add information regarding the provisional ballots in VERIS for each provisional voter. Refer to VERIS Step-by-Step Voter History for more information on modifying voter history.

A provisional voter may be registered, have an inactive status, cancelled registration, or not be in VERIS at all. For persons already registered, VERIS will automatically generate letters when their record is updated to indicate the provisional ballot was not counted. For persons not registered who have not completed a registration application, the notification letter should include a voter registration application and inform the person that if they wish to be eligible to vote in future elections, they must complete the application and return it in the pre-addressed envelope provided before the close of books for the next election in the county or city.



#### Enhanced Results/VERIS

Throughout this chapter you can find information related to Enhanced Results and VERIS. However, if you cannot find what you are looking for, please see the Enhanced Results Training Materials Course in LMS or VERIS Step-by-Steps for a walkthrough of all Enhanced Results or VERIS processes.

<sup>64</sup> See Code of Virginia [§24.2-653.01\(C\)](#).

<sup>65</sup> See Code of Virginia [§24.2-653.01\(C\)](#). See also Virginia Administrative Code [1VAC20-20-70](#).

