



★ VIRGINIA ★
DEPARTMENT *of* ELECTIONS

Official ELECT Advisory

DATE: October 8, 2024

SUBJECT: Retention Requirements for Federal Elections

WHY THIS IS NEEDED: This advisory serves to remind general registrars of the retention requirements for federal elections.

HOW THIS AFFECTS YOU: While [52 U.S.C. § 20701](#) requires federal election records, including but not limited to ballots and ballot images, to be maintained for a period of twenty-two months from the date of the election, the Library of Virginia's [General Schedule No. GS-01](#), Series 006052, page 3 and VA Code § [24.2-669](#) requires federal election records to be maintained **for a period of two years/24 months**. The retention requirement is applicable to any election in which a candidate for federal office is on the ballot.

These records must be maintained with the Clerk of the Circuit Court for the statutorily-mandated two years.

For digital ballot images, a locality may choose to transfer these records from the original data storage device to another device to ensure compliance with federal and state law. Any locality choosing to transfer records to another device should ensure proper transfer prior to sealing the records. To complete these processes, please work closely with your vendor.

To assist general registrars in complying with federal election data storage device retention requirements, [label/envelope 7FED](#) was created in 2020. The template for label/envelope 7FED is located in FormsWarehouse > [Print-Ready Materials Artwork](#).

ACTION ITEMS:

1. Review [52 U.S.C. § 20701](#), the Library of Virginia's [General Schedule No. GS-01](#), Series 006052, page 3 and VA Code § [24.2-669](#).
2. Plan accordingly to ensure compliance with all retention requirements.
3. Create [label/envelope 7FED](#) to use in storing your digital ballot images.
4. If you so choose, transfer your digital ballot images from the original data storage device to another device. Any locality choosing to transfer records to another device should

ensure proper transfer prior to sealing the device in a 7FED envelope. To complete these processes, please work closely with your vendor.

5. Submit your digital ballot images device in a 7FED envelope to the Clerk of the Circuit Court, where they are to be maintained for the statutorily-mandated two years.

CONTACT: **For data storage device matters:** Contact your vendor

For Election Admin: EA@elections.virginia.gov

For all other matters:

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ADVISORY NUMBER:

 **COMM-755** - Retention Requirements for Federal Elections

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