

HOUSE BILL NO. 1877

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on/for \_\_\_\_\_

on \_\_\_\_\_)

(Patrons Prior to Substitute--Delegates Scott, P.A. and Runion [HB1499])

A BILL to amend and reenact § 24.2-701.1 of the Code of Virginia, relating to absentee voting; availability of absentee voting in person.

**Be it enacted by the General Assembly of Virginia:**

**1. That § 24.2-701.1 of the Code of Virginia is amended and reenacted as follows:**

**§ 24.2-701.1. Absentee voting in person.**

A. Absentee voting in person shall be available on the ~~forty-fifth~~ fourteenth day prior to any election and shall continue until 5:00 p.m. on the Saturday immediately preceding the election. In the case of a special election, excluding for federal offices, if time is insufficient between the issuance of the writ calling for the special election and the date of the special election, absentee voting in person shall be available as soon as possible after the issuance of the writ.

Any registered voter offering to vote absentee in person shall provide his name and his residence address in the county or city in which he is offering to vote. After verifying that the voter is a registered voter of that county or city, the general registrar shall enroll the voter's name and address on the absentee voter applicant list maintained pursuant to § 24.2-706.

Except as provided in subsection F, a registered voter voting by absentee ballot in person shall provide one of the forms of identification specified in subsection B of § 24.2-643. If he does not show one of the forms of identification specified in subsection B of § 24.2-643, he shall be allowed to vote after signing a statement, subject to felony penalties for false statements pursuant to § 24.2-1016, that he is the named registered voter he claims to be. A voter who requires assistance in voting by reason of a physical disability or an inability to read or write, and who requests assistance pursuant to § 24.2-649, may be assisted in preparation of this statement in accordance with that section. The provisions of § 24.2-649

27 regarding voters who are unable to sign shall be followed when assisting a voter in completing this  
28 statement. A voter who does not show one of the forms of identification specified in this subsection or  
29 does not sign this statement shall be offered a provisional ballot under the provisions of § 24.2-653. The  
30 State Board shall provide instructions to the general registrar for the handling and counting of such  
31 provisional ballots pursuant to § 24.2-653.01 and this section.

32 B. Absentee voting in person shall be available during regular business hours. The electoral board  
33 of each county and city shall provide for absentee voting in person in the office of the general registrar or  
34 a voter satellite office established pursuant to § 24.2-701.2. For purposes of this chapter, such offices shall  
35 be open to the public a minimum of eight hours between the hours of 8:00 a.m. and 5:00 p.m. on the first  
36 and second Saturday immediately preceding all elections. The electoral board or general registrar may  
37 provide for absentee voting in person in such offices on Sundays. Any applicant who is in line to cast his  
38 ballot when the office of the general registrar or voter satellite office closes shall be permitted to cast his  
39 absentee ballot that day.

40 C. The general registrar may provide for the casting of absentee ballots in person pursuant to this  
41 section on voting systems. The Department shall prescribe the procedures for use of voting systems. The  
42 procedures shall provide for absentee voting in person on voting systems that have been certified and are  
43 currently approved by the State Board. The procedures shall be applicable and uniformly applied by the  
44 Department to all localities using comparable voting systems.

45 D. At least two officers of election shall be present during all hours that absentee voting in person  
46 is available and shall represent the two major political parties, except in the case of a party primary, when  
47 they may represent the party conducting the primary. However, such requirement shall not apply when (i)  
48 voting systems that are being used pursuant to subsection C are located in the office of the general registrar  
49 or voter satellite office and (ii) the general registrar or a deputy registrar is present.

50 E. The Department shall include absentee ballots voted in person in its instructions for the  
51 preparation, maintenance, and reporting of ballots, pollbooks, records, and returns.

52 F. This subsection shall apply in the case of any individual who is required by subparagraph (b) of  
53 52 U.S.C. § 21083 of the Help America Vote Act of 2002 to show identification the first time he votes in

**54** a federal election in the state. At such election, such individual shall present (i) a current and valid photo  
**55** identification or (ii) a copy of a current utility bill, bank statement, government check, paycheck, or other  
**56** government document that shows the name and address of the voter. Such individual who desires to vote  
**57** in person but who does not show one of the forms of identification specified in this subsection shall be  
**58** offered a provisional ballot under the provisions of § 24.2-653. The identification requirements of  
**59** subsection B of § 24.2-643 and subsection A of § 24.2-653 shall not apply to such voter at such election.  
**60** The Department of Elections shall provide instructions to the electoral boards for the handling and  
**61** counting of such provisional ballots pursuant to § 24.2-653.01 and this section.

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