

SENATE BILL NO. 300

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Privileges and Elections

on January 6, 2024)

(Patrons Prior to Substitute--Senators Rouse and Rouse [SB 224])

A BILL to amend and reenact §§ 24.2-404, 24.2-404.3, 24.2-404.4, 24.2-408, 24.2-409, 24.2-410, 24.2-410.1, 24.2-427, and 24.2-709 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 24.2-426.1, relating to voter registration; list maintenance activities; required identification information; required record matches; cancellation procedures.

Be it enacted by the General Assembly of Virginia:

1. That §§ 24.2-404, 24.2-404.3, 24.2-404.4, 24.2-408, 24.2-409, 24.2-410, 24.2-410.1, 24.2-427, and 24.2-709 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 24.2-426.1 as follows:

§ 24.2-404. Duties of Department of Elections.

A. The Department of Elections shall provide for the continuing operation and maintenance of a central recordkeeping system, the Virginia voter registration system, for all voters registered in the Commonwealth.

In order to operate and maintain the system, the Department shall:

1. Maintain a complete, separate, and accurate record of all registered voters in the Commonwealth. Such system shall automatically register a person who has preregistered pursuant to § 24.2-403.1 upon that person becoming eligible for registration under § 24.2-403 or reaching 18 years of age, whichever comes first. Such system shall also assign a unique identifier to each voter registered in the system.

2. Require the general registrars to enter the names of all registered voters into the system and to change or correct registration records as necessary.

26 3. Provide to each general registrar voter confirmation documents for newly registered voters,
27 including voters who were automatically registered pursuant to subdivision 1, and for notice to registered
28 voters on the system of changes and corrections in their registration records and polling places.

29 4. Require the general registrars to delete from the record of registered voters the name of any
30 voter who (i) is deceased, (ii) is no longer qualified to vote in the county or city where he is registered due
31 to removal of his residence, (iii) has been convicted of a felony, (iv) has been adjudicated incapacitated,
32 (v) is known not to be a United States citizen by reason of reports from the Department of Motor Vehicles
33 pursuant to § 24.2-410.1 or from the Department of Elections based on information received from the
34 Systematic Alien Verification for Entitlements Program (SAVE Program) pursuant to subsection E, or
35 (vi) is otherwise no longer qualified to vote as may be provided by law. ~~Such action shall be taken no later
36 than 30 days after notification from the Department. The Department shall promptly provide the
37 information referred to in this subdivision, upon receiving it, to general registrars.~~

38 5. ~~Retain~~ Create a record, or direct the general registrars to create a record, to be retained on the
39 system for at least four years ~~a separate record, for each registered voters voter whose names have been~~
40 ~~deleted~~ registration is cancelled, with the reason for deletion cancellation. In accordance with the Virginia
41 Freedom of Information Act (§ 2.2-3700 et seq.) and 52 U.S.C. § 20507 (i), such cancellation records shall
42 be made available for public inspection and copying.

43 6. Retain on the system permanently a separate record for information received regarding deaths,
44 felony convictions, and adjudications of incapacity pursuant to §§ 24.2-408 through 24.2-410.

45 7. Provide to each general registrar, at least 16 days prior to a general or primary election and three
46 days prior to a special election, an alphabetical list of all registered voters in each precinct or portion of a
47 precinct in which the election is being held in the county, city, or town. These precinct lists shall be used
48 as the official lists of qualified voters and shall constitute the pollbooks. The Department shall provide
49 instructions for the division of the pollbooks and precinct lists into sections to accommodate the efficient
50 processing of voter lines at the polls. Prior to any general, primary, or special election, the Department
51 shall provide any general registrar, upon his request, with a separate electronic list of all registered voters
52 in the registrar's county or city. If electronic pollbooks are used in the locality or electronic voter

53 registration inquiry devices are used in precincts in the locality, the Department shall provide a regional
54 or statewide list of registered voters to the general registrar of the locality. The Department shall determine
55 whether regional or statewide data is provided. Neither the pollbook nor the regional or statewide list of
56 registered voters shall include the day and month of birth of the voter, but shall include the voter's year of
57 birth.

58 8. Acquire by purchase, lease, or contract equipment necessary to execute the duties of the
59 Department.

60 9. Use any source of information that may assist in carrying out the purposes of this section. All
61 agencies of the Commonwealth shall cooperate with the Department in procuring and exchanging
62 identification information for the purpose of maintaining the voter registration system. The Department
63 may share any information that it receives from another agency of the Commonwealth with any Chief
64 Election Officer of another state for the maintenance of the voter registration system.

65 10. Cooperate with other states and jurisdictions to develop systems to compare voters, voter
66 history, and voter registration lists to ensure the accuracy of the voter registration rolls, to identify voters
67 whose addresses have changed, to prevent duplication of registration in more than one state or jurisdiction,
68 and to determine eligibility of individuals to vote in Virginia.

69 11. Reprint and impose a reasonable charge for the sale of any part of Title 24.2, lists of precincts
70 and polling places, statements of election results by precinct, and any other items required of the
71 Department by law. Receipts from such sales shall be credited to the Board for reimbursement of printing
72 expenses.

73 B. The Department shall be authorized to provide for the production, distribution, and receipt of
74 information and lists through the Virginia voter registration system by any appropriate means including,
75 but not limited to, paper and electronic means. The Virginia Freedom of Information Act (§ 2.2-3700 et
76 seq.) shall not apply to records about individuals maintained in this system.

77 C. The State Board shall institute procedures to ensure that each requirement of this section is
78 fulfilled. As part of its procedures, the State Board shall provide that the general registrar shall mail notice
79 of any cancellation pursuant to clause (v) of subdivision A 4 to the person whose registration is cancelled.

80 D. The State Board shall promulgate rules and regulations to ensure the uniform application of the
81 law for determining a person's residence.

82 E. The Department shall apply to participate in the Systematic Alien Verification for Entitlements
83 Program (SAVE Program) operated by U.S. Citizenship and Immigration Services of the U.S. Department
84 of Homeland Security for the purposes of verifying that voters listed in the Virginia voter registration
85 system are United States citizens. Upon approval of the application, the Department shall enter into any
86 required memorandum of agreement with U.S. Citizenship and Immigration Services. The State Board
87 shall promulgate rules and regulations governing the use of the immigration status and citizenship status
88 information received from the SAVE Program.

89 ~~F. The Department shall report annually by October 1 for the preceding 12 months ending August~~
90 ~~31 to the Committees on Privileges and Elections on each of its activities undertaken to maintain the~~
91 ~~Virginia voter registration system and the results of those activities. The Department's report shall be~~
92 ~~governed by the provisions of § 2.2-608 and shall encompass activities undertaken pursuant to~~
93 ~~subdivisions A 9 and 10 and subsection E and pursuant to §§ 24.2-404.3, 24.2-404.4, 24.2-408, 24.2-409,~~
94 ~~24.2-409.1, 24.2-410, 24.2-410.1, 24.2-427, and 24.2-428. This report shall contain the methodology used~~
95 ~~in gathering and analyzing the data. The Commissioner of Elections shall certify that the data included in~~
96 ~~the report is accurate and reliable.~~

97 **§ 24.2-404.3. Duty of Department of Elections; list maintenance activities; report.**

98 ~~On or before October 1 of each year, the~~ A. Upon receipt of any list, record, or other information
99 provided pursuant to §§ 24.2-404.4, 24.2-408, 24.2-409, 24.2-409.1, 24.2-410, and 24.2-410.1, the
100 ~~Department shall conduct a match of the Virginia registered voter lists with the list of deceased persons~~
101 ~~maintained by the Social Security Administration~~ compare the contents of such list or record to the list of
102 all registered voters maintained on the voter registration system and determine the confidence score in
103 accordance with subsection B for any match of a registration record with information on the list or record
104 received.

105 B. When comparing a registration record with information on a list or record received pursuant to
106 §§ 24.2-404.4, 24.2-408, 24.2-409, 24.2-409.1, 24.2-410, and 24.2-410.1, the Department shall determine

107 the confidence score for any match by adding points for information matches based on the following
108 criteria:

- 109 1. A match of the full social security number: 40 points.
- 110 2. A match of the last four digits of the social security number: 10 points.
- 111 3. A match of the Virginia Department of Motor Vehicles customer identifier number: 50 points.
- 112 4. A match of the date of birth: 25 points.
- 113 5. A match of the last name: 15 points.
- 114 6. A match of the first name: 15 points.
- 115 7. A match of the middle name: 5 points.
- 116 8. A match of a suffix: 5 points.
- 117 9. A match of the residence address: 10 points.
- 118 10. A match of the zip code: 5 points.

119 C. The Department shall transmit to the appropriate general registrar a voter's registration record
120 only if (i) the match has a confidence score of at least 80 and (ii) the first and last name and the date of
121 birth in the voter's registration record is identical to the first and last name and the date of birth on the list
122 or record. The general registrars shall use the information received pursuant to this subsection to carry out
123 their duties in accordance with § 24.2-427.

124 D. The Department shall report annually by August 1 for the preceding 12 months ending June 30
125 to the House and Senate Committees on Privileges and Elections on each of its activities undertaken to
126 maintain the Virginia voter registration system and the results of those activities. The Department's report
127 shall be governed by the provisions of § 2.2-608 and shall encompass activities undertaken pursuant to
128 subdivisions A 9 and 10 and subsection E of § 24.2-404 and pursuant to §§ 24.2-404.4, 24.2-408, 24.2-
129 409, 24.2-409.1, 24.2-410, 24.2-410.1, 24.2-427, 24.2-428, 24.2-428.1 and 24.2-428.2. This report shall
130 contain the methodology used in gathering and analyzing the data. The Commissioner of Elections shall
131 certify that the data included in the report is accurate and reliable.

132 **§ 24.2-404.4. Exchange of registered voter lists with other states.**

133 A. Pursuant to its authority under subsection A of § 24.2-405 and subsections B and C of § 24.2-
134 406, the Department of Elections shall request voter registration information and lists of persons voting at
135 primaries and elections, if available, from the states bordering the Commonwealth to identify duplicate
136 registrations, voters who no longer reside in the Commonwealth, and other persons who are no longer
137 entitled to be registered in order to maintain the overall accuracy of the voter registration system.

138 B. Pursuant to its authority under subdivision A 10 of § 24.2-404, the Department of Elections
139 shall utilize data regarding voter registration and lists of persons voting at primaries and elections received
140 through list comparisons with other states to identify duplicate registrations, voters who no longer reside
141 in the Commonwealth, and other persons who are no longer entitled to be registered in order to maintain
142 the overall accuracy of the voter registration system.

143 C. The Department shall compare the data received pursuant to subsections A and B with the state
144 voter registration list ~~and initiate list maintenance procedures under applicable state and federal law to~~
145 identify record matches in accordance with § 24.2-404.3. The Department shall include in its report to the
146 House and Senate Committees on Privileges and Elections, required by subsection ~~F D~~ of ~~§ 24.2-404~~ §
147 24.2-404.3, the progress of activities conducted under this section, including the number of duplicate
148 registrations found to exist and the procedures that the Department and general registrars are following to
149 eliminate duplicate registrations from the Virginia registered voter lists.

150 **§ 24.2-408. Lists of deceased voters; State Registrar of Vital Records; Social Security**
151 **Administration.**

152 A. The State Registrar of Vital Records shall transmit to the Department of Elections by electronic
153 means a weekly list of all persons 17 years of age or older who have died in the Commonwealth subsequent
154 to its previous weekly list. The lists shall be in a format specified by the Department and shall contain ~~the~~
155 ~~deceased's name; address; county, city, or town of residence; social security number, if any; and date and~~
156 ~~place of his birth and of his death,~~ at a minimum, the following identification information for each person
157 included on the list: (i) his last name, including any other last name used; (ii) his first name, including any
158 other name used; (iii) his middle name or initial; (iv) his date and place of birth; (v) his social security

159 number, if any; (vi) his Department of Motor Vehicles customer identifier number, if any; (vii) his last
160 known address of residence, including the county, city, or town; and (viii) his date and place of death.

161 B. On or before July 1 of each year, the Department shall conduct a match of the Virginia registered
162 voter lists with the list of deceased persons maintained by the Social Security Administration.

163 C. The Department shall compare the contents of such lists to identify record matches in
164 accordance with § 24.2-404.3, and the general registrars shall have access to the information in the lists
165 necessary to carry out their duties pursuant to § 24.2-427. The Department shall maintain a permanent
166 record of the information in the lists as part of the voter registration system, and the general registrars shall
167 use the information in the lists to carry out their duties pursuant to § 24.2-427. Information in the lists
168 shall be confidential and consistent with the requirements of § 32.1-271.

169 **§ 24.2-409. Lists of persons convicted of felonies; Central Criminal Records Exchange.**

170 ~~The A. Each month, the Central Criminal Records Exchange shall transmit to the Department of~~
171 ~~Elections by electronic means (i) a monthly a list of all persons convicted of a felony during the preceding~~
172 ~~month and (ii) an annual list of all persons who have been convicted of a felony, regardless of when the~~
173 ~~conviction occurred. The list shall be in a format mutually agreed upon by the Commissioner of Elections~~
174 ~~and the Department of State Police and shall contain the convicted person's name; address; county, city,~~
175 ~~or town of residence; social security number, if any; date and place of birth; and date of conviction, at a~~
176 minimum, the following identification information for each person included on the list: (i) his last name,
177 including any other last name used; (ii) his first name, including any other name used; (iii) his middle
178 name or initial; (iv) his date and place of birth; (v) his social security number, if any; (vi) his Department
179 of Motor Vehicles customer identifier number, if any; (vii) his last known address of residence, including
180 the county, city, or town; and (viii) the offenses for which he was convicted and the date of conviction for
181 each. The Department shall maintain a permanent record of the information in the lists as part of the voter
182 registration system.

183 B. Upon receipt of the monthly list, the Department shall compare, on a monthly basis, the contents
184 of the list to the list of all registered voters maintained on the voter registration system and shall notify the
185 appropriate general registrar of the felony conviction of any registered voter to identify record matches in

186 accordance with § 24.2-404.3. The general registrars shall have access to the information in the lists
187 necessary to carry out their duties pursuant to § 24.2-427.

188 C. On or before July 1 each year, the Central Criminal Records Exchange shall transmit to the
189 Department of Elections by electronic means a list of all persons convicted of a felony, regardless of when
190 the conviction occurred. The list shall be in a format mutually agreed upon by the Commissioner of
191 Elections and the Department of State Police and shall contain, at a minimum, the information required in
192 clauses (i) through (viii) of subsection A for monthly lists. Upon receipt of the annual list, the Department
193 shall compare the contents of the list to the list of all registered voters maintained on the voter registration
194 system and shall notify the appropriate general registrar of the felony conviction of any registered voter
195 to identify record matches in accordance with § 24.2-404.3. The general registrars shall have access to the
196 information in the lists necessary to carry out their duties pursuant to § 24.2-427.

197 D. The Department shall maintain as part of the voter registration system a permanent record of
198 the information in the lists received pursuant to this section.

199 **§ 24.2-410. Lists of certain adjudications; clerks of circuit court.**

200 ~~The A. Each month, the clerk of each circuit court shall furnish monthly~~ transmit to the Department
201 of Elections by electronic means a complete list of all persons who have been adjudicated incapacitated
202 pursuant to Chapter 20 (§ 64.2-2000 et seq.) of Title 64.2 or whose incapacity has been recognized
203 pursuant to § 64.2-2115, and therefore "mentally incompetent" for purposes of this title unless the court
204 order specifically provides otherwise, during the preceding month ~~or~~. If no such adjudications have
205 occurred that month, the clerk shall transmit to the Department instead a statement that no adjudications
206 have occurred that month. The list shall contain, at a minimum, the following identification information
207 for each such person's name; address; county, city, or town of residence; social security number, if any;
208 date and place of birth; and date of adjudication person included on the list: (i) his last name, including
209 any other last name used; (ii) his first name, including any other name used; (iii) his middle name or initial;
210 (iv) his last known address of residence, including the county, city, or town; (v) his social security number,
211 if any; (vi) his date and place of birth; and (vii) the date of his adjudication. ~~The Commissioner of Elections~~

212 ~~and the Executive Secretary shall determine the procedure for furnishing such lists, which may be by~~
213 ~~electronic means.~~

214 B. Upon receipt of the monthly list, the Department shall compare the contents of the list to the
215 list of all registered voters maintained on the voter registration system to identify record matches in
216 accordance with § 24.2-404.3. The general registrars shall have access to the information in the lists
217 necessary to carry out their duties pursuant to § 24.2-427.

218 C. The Department shall ~~transmit~~ maintain as part of the voter registration system a permanent
219 record of the information in the lists received pursuant to this section ~~from the list to the appropriate~~
220 general registrars.

221 **§ 24.2-410.1. Lists of noncitizens; Department of Motor Vehicles.**

222 A. The Department of Motor Vehicles shall include on the application for any document, or
223 renewal thereof, issued pursuant to the provisions of Chapter 3 (§ 46.2-300 et seq.) of Title 46.2 a
224 statement asking the applicant if he is a United States citizen. Information on citizenship status shall not
225 be a determinative factor for the issuance of any document pursuant to the provisions of Chapter 3 (§ 46.2-
226 300 et seq.) of Title 46.2.

227 B. The Department of Motor Vehicles shall furnish monthly to the Department of Elections a
228 complete list of all persons who have indicated a noncitizen status to the Department of Motor Vehicles
229 in obtaining any document, or renewal thereof, issued pursuant to the provisions of Chapter 3 (§ 46.2-300
230 et seq.) of Title 46.2. Such list shall contain, at a minimum, the following identification information for
231 each person included on the list: (i) his last name, including any other last name used; (ii) his first name,
232 including any other name used; (iii) his middle name or initial; (iv) his date and place of birth; (v) his
233 social security number, if any; (vi) his Department of Motor Vehicles customer identifier number, if any;
234 and (vii) his last known address of residence, including the county, city, or town.

235 ~~The C. Upon receipt of the monthly list, the Department of Elections shall transmit the information~~
236 ~~from the list to the appropriate~~ compare the contents of the list to the list of all registered voters maintained
237 on the voter registration system to identify record matches in accordance with § 24.2-404.3. The general
238 registrars shall have access to the information in the lists necessary to carry out their duties pursuant to §

239 24.2-427. Information in the lists shall be confidential and available only for official use by the Department
240 of Elections and general registrars.

241 ~~B.~~D. For the purposes of this section, the Department of Motor Vehicles is not responsible for
242 verifying the claim of any applicant who indicates United States citizen status when applying for any
243 document, or renewal thereof, issued pursuant to the provisions of Chapter 3 (§ 46.2-300 et seq.) of Title
244 46.2.

245 **§ 24.2-426.1. Cancellation of registration by voter.**

246 A. Any registered voter may cancel his registration by submitting to the general registrar a written
247 authorization, signed by the voter, that his voter registration shall be cancelled. Such cancellation
248 authorization shall be made at least 22 days prior to an election in order to be valid in that election, unless
249 such cancellation authorization is made in person or notarized. Within 10 days of receiving such
250 authorization, the general registrar shall acknowledge receipt of the authorization and advise the voter by
251 first-class mail, or in person if such authorization is made in person, that his registration has been
252 cancelled.

253 B. Notice received by a general registrar from the registration official of another jurisdiction, or
254 signed by the voter, that a registered voter has moved from the Commonwealth or that the registered voter
255 has registered to vote outside the Commonwealth subsequent to his registration in the Commonwealth
256 shall be considered a written authorization from the voter to have his registration cancelled. Information
257 received through a list exchange or list comparison pursuant to § 24.2-404.4 shall not be deemed to be
258 notice for purposes of this subsection.

259 **§ 24.2-427. Cancellation of registration for persons known to be deceased or disqualified to**
260 **vote.**

261 ~~A. Any registered voter may cancel his registration and have his name removed from the central~~
262 ~~registration records by signing an authorization for cancellation and mailing or otherwise submitting the~~
263 ~~signed authorization to the general registrar. When submitted by any means other than when notarized or~~
264 ~~in person, such cancellation must be made at least 22 days prior to an election in order to be valid in that~~

265 election. The general registrar shall acknowledge receipt of the authorization and advise the voter in person
266 or by first class mail that his registration has been canceled within 10 days of receipt of such authorization.

267 B. The general registrar shall promptly cancel the registration of ~~(i)~~ all persons known by him to
268 be deceased or disqualified to vote in accordance with the provisions of this section. A voter's registration
269 may be cancelled at any time during the year in which the general registrar discovers that the person is no
270 longer entitled to be registered. The general registrar shall provide notice of any cancellation to the person
271 whose registration is cancelled, by mail to the address listed in the voter's registration record and by email
272 to the email address provided on the voter's registration application, if one was provided; ~~(ii) all persons~~
273 ~~known by him to be disqualified to vote by reason of a felony conviction or adjudication of incapacity;~~
274 ~~(iii) all persons known by him not to be United States citizens by reason of reports from the Department~~
275 ~~of Motor Vehicles pursuant to § 24.2-410.1 or from the Department of Elections based on information~~
276 ~~received from the Systematic Alien Verification for Entitlements Program (SAVE Program) pursuant to~~
277 ~~subsection E of § 24.2-404 and in accordance with the requirements of subsection C; (iv) all persons for~~
278 ~~whom a notice has been received, signed by the voter, or from the registration official of another~~
279 ~~jurisdiction that the voter has moved from the Commonwealth; and (v) all persons for whom a notice has~~
280 ~~been received, signed by the voter, or from the registration official of another jurisdiction that the voter~~
281 ~~has registered to vote outside the Commonwealth, subsequent to his registration in Virginia. The notice~~
282 ~~received in clauses (iv) and (v) shall be considered as a written request from the voter to have his~~
283 ~~registration cancelled. A voter's registration may be cancelled at any time during the year in which the~~
284 ~~general registrar discovers that the person is no longer entitled to be registered. The general registrar shall~~
285 ~~provide notice of any cancellation to the person whose registration is cancelled, by mail to the address~~
286 ~~listed in the voter's registration record and by email to the email address provided on the voter's registration~~
287 ~~application, if one was provided.~~

288 C. ~~The B.~~ Upon receipt of a report from the Department of Motor Vehicles pursuant to § 24.2-
289 410.1 or from the Department of Elections based on information received from the Systematic Alien
290 Verification for Entitlements Program (SAVE Program) pursuant to subsection E of § 24.2-404, the
291 general registrar shall mail notice promptly to all persons known by him not to be listed in the report as

292 ~~not being a citizen of the United States citizens by reason of a report from the Department of Motor~~
293 ~~Vehicles pursuant to § 24.2-410.1 or from the Department of Elections based on information received~~
294 ~~from the Systematic Alien Verification for Entitlements Program (SAVE Program) pursuant to subsection~~
295 ~~E of § 24.2-404 prior to cancelling their the registrations of such persons.~~ The notice shall inform the
296 person of the report from the Department of Motor Vehicles or from the Department of Elections and
297 allow the person to submit his sworn statement that he is a United States citizen within 14 days of the date
298 that the notice was mailed. The general registrar shall cancel the registrations of such persons who do not
299 respond within 14 days to the notice that they have been reported not to be United States citizens.

300 ~~D. The C.~~ Upon receipt of notice from the Department of Elections pursuant to § 24.2-409 that a
301 registered voter has been convicted of a felony, the general registrar shall (i) process the Department's
302 most recent list of persons convicted of felonies within 21 to 14 days before any primary or general
303 election, (ii) cancel the registration of any registered voter shown to have been convicted of a felony who
304 has not provided evidence that his right to vote has been restored, and (iii) send prompt notice to the person
305 of the cancellation of his registration. If it appears that any registered voter has made a false statement on
306 his registration application with respect to his having been convicted of a felony, the general registrar shall
307 report the fact to the attorney for the Commonwealth for prosecution under § 24.2-1016 for a false
308 statement made on his registration application mail notice promptly to the registered voter prior to
309 cancelling such person's registration. The notice shall inform the person of the report from the Central
310 Criminal Records Exchange and allow the person to submit his sworn statement that he has not been
311 convicted of a felony or that, if having been convicted of a felony, his right to vote has been restored. Such
312 statement shall be submitted to the general registrar within 14 days of the notice and the registrar shall
313 cancel the registration of any such person who does not respond within such time.

314 ~~E. The D.~~ Upon receipt of a notice submitted to the Department of Motor Vehicles in accordance
315 with the Driver License Compact set out in Article 18 (§ 46.2-483 et seq.) of Chapter 3 of Title 46.2 that
316 a registered voter has moved from the Commonwealth, the general registrar may cancel the registration
317 of any such person for whom a notice has been submitted to the Department of Motor Vehicles in
318 accordance with the Driver License Compact set out in Article 18 (§ 46.2-483 et seq.) of Chapter 3 of

319 ~~Title 46.2 and forwarded to the general registrar, that the voter has moved from the Commonwealth;~~
320 ~~provided that the.~~ Prior to cancelling a registration pursuant to this subsection, the general registrar shall
321 mail notice of such cancellation to the person at both his new address, as reported to the Department of
322 Motor Vehicles, and the address at which he had most recently been registered in Virginia. No general
323 registrar may cancel registrations under this authority while the registration records are closed pursuant to
324 § 24.2-416. No registrar may cancel the registration under this ~~authority~~ subsection of any person entitled
325 to register under the provisions of subsection A of § 24.2-420.1, and shall reinstate the registration of any
326 otherwise qualified voter covered by subsection A of § 24.2-420.1 who applies to vote within four years
327 of the date of cancellation.

328 **§ 24.2-709. Ballot to be returned in manner prescribed by law.**

329 A. Any ballot returned to the office of the general registrar or to a drop-off location in any manner
330 except as prescribed by law shall be void. Absentee ballots shall be returned to the general registrar or to
331 a drop-off location before the closing of the polls. Any voter who is in line to return an absentee ballot at
332 a drop-off location by 7:00 p.m. on the day of the election shall be permitted to deposit his absentee ballot.
333 The registrar receiving the ballot shall (i) seal the ballot in an envelope with the statement or declaration
334 of the voter, or both, attached to the outside and (ii) mark on each envelope the date, time, and manner of
335 delivery. No returned absentee ballot shall be deemed void because (a) the inner envelope containing the
336 voted ballot is imperfectly sealed so long as the outside envelope containing the ballot envelope is sealed
337 or (b) it is not returned sealed in the outside envelope so long as it is returned sealed in the inner envelope.

338 B. Notwithstanding the provisions of subsection A, any absentee ballot (i) returned to the general
339 registrar after the closing of the polls on election day but before noon on the third day after the election
340 and (ii) postmarked on or before the date of the election shall be counted pursuant to the procedures set
341 forth in this chapter if the voter is found entitled to vote. For purposes of this subsection, a postmark shall
342 include any other official indicia of confirmation of mailing by the United States Postal Service or other
343 postal or delivery service.

344 C. Notwithstanding the provisions of subsection A, any absentee ballot (i) received after the close
345 of the polls on any election day, (ii) received before 5:00 p.m. on the second business day before the State

346 Board meets to ascertain the results of the election pursuant to this title, (iii) requested on or before but
347 not sent by the deadline for making absentee ballots available under § 24.2-612, and (iv) cast by a covered
348 voter, as defined in § 24.2-452, shall be counted pursuant to the procedures set forth in this chapter if the
349 voter is found entitled to vote. The electoral board shall prepare an amended certified abstract, which shall
350 include the results of such ballots, and shall deliver such abstract to the State Board by the business day
351 prior to its meeting pursuant to this title, and shall deliver a copy of such abstract to the general registrar
352 to be available for inspection when his office is open for business.

353 D. Notwithstanding the ~~provisions of clause (i) of subsection B of requirement in § 24.2-427 that~~
354 a general registrar promptly cancel the registration of a deceased voter, an absentee ballot returned by a
355 voter in compliance with § 24.2-707 and this section who dies prior to the counting of absentee ballots on
356 election day shall be counted pursuant to the procedures set forth in this chapter if the voter is found to
357 have been entitled to vote at the time that he returned the ballot.

358 #