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HOUSE BILL NO. 425

Offered January 14, 2000

A BILL to amend and reenact §§ 24.2-643 and 24.2-651.1 of the Code of Virginia, relating to voting procedures at the polls; voter identification; certain challenged votes.

Patrons—Devolites, Albo, Black, Blevins, Bloxom, Bolvin, Broman, Bryant, Byron, Callahan, Cantor, Councill, Cox, Davis, Dillard, Drake, Dudley, Griffith, Hamilton, Hargrove, Harris, Howell, Ingram, Johnson, Jones, S.C., Katzen, Kilgore, Landes, Larrabee, Louderback, Marshall, May, McClure, McDonnell, McQuigg, Morgan, Nixon, O'Brien, Orrock, Parrish, Purkey, Putney, Reid, Rhodes, Rollison, Ruff, Rust, Sherwood, Suit, Tata, Wagner, Wardrup, Ware and Weatherholtz

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:

1. That §§ 24.2-643 and 24.2-651.1 of the Code of Virginia are amended and reenacted as follows:

§ 24.2-643. Qualified voter permitted to vote; entry of voter's name on pollbook; other information.

A. After the polls are open, each qualified voter at a precinct shall be permitted to vote. The officers of election shall ascertain that a person offering to vote is a qualified voter before admitting him to the voting booth and furnishing an official ballot to him.

B. An officer of election shall ask the voter for his full name and current residence address and repeat, in a voice audible to party and candidate representatives present, the full name and address stated by the voter. The officer shall ask ~~any~~the voter, ~~who is subject to the requirement to vote in person pursuant to subsection B of § 24.2-416.1, or as authorized by subsection E below,~~ to present any one of the following forms of identification: his Commonwealth of Virginia voter registration card, his social security card, ~~any preprinted form of identification which shows his name and address, any preprinted form of identification which shows his name and signature, or any preprinted form of identification which shows his name and photograph or an identification card issued by a government agency of the Commonwealth, one of its localities, or the United States.~~

If the voter's name is found on the registered voter list, ~~if he presents one of the forms of identification listed above,~~ if he is qualified to vote in the election, and if no objection is made, an officer shall mark the voter's name on the registered voter list; an officer shall enter, opposite the voter's preprinted name on the pollbook, the first or next consecutive number from the voter count form provided by the State Board; an officer shall provide the voter with the official ballot; and another officer shall admit him to the voting booth.

If a voter, ~~who is subject to the requirement to vote in person pursuant to subsection B of § 24.2-416.1,~~ is entitled to vote except that he is unable to present one of the forms of identification listed above, 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 who he claims to be.

A voter may be accompanied into the voting booth by his child age fifteen or younger.

C. If the current residence address stated by the voter is different from the address shown on the registered voter list, the officer of election shall furnish the voter with a change of address form prescribed by the State Board. Upon its completion, the voter shall sign the prescribed form, subject to felony penalties for making false statements pursuant to § 24.2-1016, which the officer of election shall then place in an envelope provided for such forms for transmission to the general registrar who shall then transfer or cancel the registration of such voter pursuant to Chapter 4 (§ 24.2-400 et seq.) of this title.

D. At the time the voter is asked his full name and current residence address, the officer of election shall ask any voter for whom an identification number other than a social security number is recorded on the registered voter list if he presently has a social security number and note that number on the list if the voter is able to provide it. Any social security numbers so provided shall be entered by the general registrar in the voter's record on the voter registration system.

E. The Board is authorized to conduct a pilot project requiring mandatory voter identification at the polling place, in up to ten jurisdictions, if agreed to by the jurisdiction's local electoral board. Proper voter identification includes a Virginia voter identification card, social security card, or any preprinted form of identification with the voter's name and address, preprinted form of identification with name and signature, or preprinted form of identification with name and photo. Additionally, if a voter is entitled to vote, except that he fails to present one of the forms of identification listed above, he shall be allowed to vote, by 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.

INTRODUCED

HB425

60 § 24.2-651.1. Voter who is shown as having already voted; challenge and procedure for voting; voter
61 identification.

62 The officers of election shall challenge the vote of any person who offers to vote, who is listed on
63 the precinct registered voter list, and whose name is marked to indicate that he has already voted in
64 person in the election.

65 When the person is challenged, an officer shall explain to him the basis for the challenge. If the
66 person being challenged states that he has not voted and is qualified, an officer shall ask the voter to
67 present one of the following forms of identification: his Commonwealth of Virginia voter registration
68 card, his social security card, ~~any preprinted form of identification which shows his name and address,~~
69 ~~any preprinted form of identification which shows his name and signature, or any preprinted form of~~
70 ~~identification which shows his name and photograph or an identification card issued by a government~~
71 *agency of the Commonwealth, one of its localities, or the United States.*

72 If the person presents the requested form of identification showing him to be the person listed on the
73 precinct registered voter list, an officer of election shall give him the form set out in § 24.2-651 for the
74 person to sign subject to felony penalties for making false statements pursuant to § 24.2-1016.

75 If the person challenged refuses to sign the statement, he shall not be permitted to vote. If, however,
76 he signs the statement, he shall be permitted to vote on the voting system in use at the precinct.

77 When the voter has shown the requested identification, has signed the statement, and is permitted to
78 vote, the officers of election shall mark the precinct registered voter lists and shall indicate that the
79 person has signed the required statement in accordance with the instructions of the State Board of
80 Elections.