

VIRGINIA ACTS OF ASSEMBLY -- 2001 SESSION

CHAPTER 612

An Act to amend and reenact §§ 24.2-405, 24.2-406, 24.2-418, and 24.2-444 of the Code of Virginia, relating to lists of registered voters and persons voting, voter registration applications, and public inspection of registration records.

[S 1025]

Approved March 25, 2001

Be it enacted by the General Assembly of Virginia:

1. That §§ 24.2-405, 24.2-406, 24.2-418, and 24.2-444 of the Code of Virginia are amended and reenacted as follows:

§ 24.2-405. Persons who may obtain lists of registered voters.

A. The State Board shall furnish, at a reasonable price, lists of registered voters for their districts to (i) courts of the Commonwealth and the United States for jury selection purposes, (ii) candidates for election or political party nomination to further their candidacy, (iii) political party committees or officials thereof for political purposes only, (iv) incumbent officeholders to report to their constituents, and (v) nonprofit organizations which promote voter participation and registration for that purpose only. The lists shall be furnished to no one else and used for no other purpose. However, the State Board is authorized to furnish information from the voter registration system to general registrars for their official use and to the Department of Motor Vehicles and other appropriate state agencies for maintenance of the voter registration system.

B. The State Board shall furnish, at a reasonable price, lists of the addresses of registered voters for their localities to local government census liaisons and their staffs for the sole purpose of providing address information to the United States Bureau of the Census. The State Board shall also furnish, at a reasonable price, such lists to the Clerk of the Senate and the Clerk of the House of Delegates for the sole purpose of maintaining a database of constituent addresses for the General Assembly. The information authorized under this subsection shall be furnished to no other person and used for no other purpose. No list furnished under this subsection shall contain the name of any registered voter. For the purpose of this subsection, the term "census liaison" shall have the meaning provided in 13 U.S.C. § 16.

C. In no event shall any list furnished under this section contain the social security number of any registered voter except a list furnished to a court of the Commonwealth or of the United States for jury selection purposes.

D. Any list furnished under subsection A of this section shall contain the post office box address in lieu of the residence street address for any active or retired law-enforcement officer, as defined in § 9-169 and in 5 U.S.C.A. § 8331 (20) but excluding officers whose duties relate to detention as defined in paragraphs (A) through (D) of § 8331 (20), who has furnished at the time of registration or subsequently, in addition to his street address, a post office box address ~~for his residence located in the Commonwealth~~ for use on such lists.

E. Any printed precinct list furnished under subsection A of this section shall contain the post office box address in lieu of the residence street address for any party granted a protective order ~~as described in §§ 16.1-253.1, 16.1-253.4, 16.1-279.1, and 18.2-60.3 issued by or under the authority of any court of competent jurisdiction, including but not limited to courts of the Commonwealth of Virginia~~, who has furnished at the time of registration or subsequently, in addition to his street address, a post office box address ~~for his residence located in the Commonwealth~~ for use on such lists.

§ 24.2-406. Persons who may obtain lists of persons voting at primaries and elections.

The State Board shall furnish to candidates, elected officials, or political party chairmen and to no one else, on request and at a reasonable price, lists for their districts of persons who voted at any primary or general election held in the two preceding years. Such lists shall be used only for campaign and political purposes and for reporting to constituents.

In no event shall any list furnished under this section contain the social security number of any registered voter.

Any list furnished under this section shall contain the post office box address in lieu of the residence street address for any active or retired law-enforcement officer, as defined in § 9-169 and in 5 U.S.C.A. § 8331 (20) but excluding officers whose duties relate to detention as defined in paragraphs (A) through (D) of § 8331 (20), who has furnished at the time of registration or subsequently, in addition to his street address, a post office box address ~~for his residence located in the Commonwealth~~ for use on such lists.

Any printed precinct list furnished under this section shall contain the post office box address in lieu of the residence street address for any party granted a protective order ~~as described in §§ 16.1-253.1, 16.1-253.4, 16.1-279.1, and 18.2-60.3 issued by or under the authority of any court of competent~~

jurisdiction, including but not limited to courts of the Commonwealth of Virginia, who has furnished at the time of registration or subsequently, in addition to his street address, a post office box address for his residence located in the Commonwealth for use on such lists.

§ 24.2-418. Application for registration.

Each applicant to register shall provide, subject to felony penalties for making false statements pursuant to § 24.2-1016, the information necessary to complete the application to register. Unless physically disabled, he shall sign the application. The application to register shall be only on a form or forms prescribed by the State Board.

The form of the application to register shall require the applicant to provide the following information: full name; gender; date of birth; social security number, if any; whether the applicant is presently a United States citizen; address of residence in the precinct; place of last previous registration to vote; and whether the applicant has ever been adjudicated incapacitated or convicted of a felony, and if so, under what circumstances the applicant's right to vote has been restored.

The form shall permit any active or retired law-enforcement officer, as defined in § 9-169 and in 5 U.S.C.A. § 8331 (20) but excluding officers whose duties relate to detention as defined in paragraphs (A) through (D) of § 8331 (20), to furnish, in addition to his residence street address, a post office box address ~~for his residence located within the Commonwealth~~ to be included in lieu of his street address on the lists of registered voters and persons who voted, which are furnished pursuant to §§ 24.2-405 and 24.2-406, *or on voter registration records made available for public inspection pursuant to § 24.2-444.*

The form shall permit any party granted a protective order ~~as described in §§ 16.1-253.1, 16.1-253.4, 16.1-279.1 and 18.2-60.3~~ issued by or under the authority of any court of competent jurisdiction, *including but not limited to courts of the Commonwealth of Virginia*, to furnish, in addition to his street address, a post office box address ~~for his residence located within the Commonwealth~~ to be included in lieu of his street address on the lists of registered voters and persons who voted, which are furnished pursuant to §§ 24.2-405 and 24.2-406, *or on voter registration records made available for public inspection pursuant to § 24.2-444.*

§ 24.2-444. Registration records open to public inspection.

A. Except for records relating to the declinations to register to vote or the identity of a voter registration agency through which a particular voter is registered, registration records shall be kept and preserved by the general registrar and shall be opened to inspection by any registered voter at the office of the general registrar when the office is open for business. The registration records shall be available for inspection by appointment, made by the general registrar for any reasonable time requested. No voter registration record containing an individual's social security number shall be made available for inspection or copying by anyone. *No voter registration record containing an individual's residence address or any indicator of the voter's precinct shall be made available for inspection or copying by anyone if the individual has furnished a post office box address in lieu of his residence address as authorized by § 24.2-418.*

B. The general registrars shall maintain for at least two years and shall make available for public inspection and copying and, where available, photocopying at a reasonable cost, all records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of the registration records, except to the extent that the records relate to the declination to register to vote or the identity of a voter registration agency through which any particular voter is registered. The records maintained shall include lists of the names and addresses of all persons to whom notices are sent pursuant to §§ 24.2-428 and 24.2-428.1 and information concerning whether each person has responded to the notice as of the date that inspection of the records is made.

C. The State Board shall provide to each general registrar, for each precinct in his county or city, lists of registered voters for inspection. The lists shall contain the name, addresses, date of birth, gender and all election districts applicable to each registered voter. New lists shall be provided not less than two times each year, and supplements containing additions, deletions and changes shall be provided not less than (i) weekly during the sixty days preceding any general election and (ii) monthly at other times. Notwithstanding any other provision of law regarding the retention of records, upon receipt of any new complete list, the general registrar shall destroy the obsolete list and its supplements.