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HOUSE BILL NO. 1737

Offered January 10, 2001

Prefiled December 20, 2000

A BILL to amend and reenact §§ 24.2-424 and 24.2-428.1 of the Code of Virginia, relating to changes of addresses for registered voters and assignment of voters to inactive status.

Patrons—Sherwood; Senator: Potts

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:**1. That §§ 24.2-424 and 24.2-428.1 of the Code of Virginia are amended and reenacted as follows:**

§ 24.2-424. Change of registered voter's address within the Commonwealth.

A. Whenever a registered voter changes his place of residence within the Commonwealth, he shall promptly notify any general registrar of the address of his new residence. Such notice may be made in person, in writing, by return of the voter registration card noting the new address, or on a form approved by the State Board of Elections. The notice shall be signed by the voter unless he is physically unable to sign, in which case his own mark acknowledged by a witness shall be sufficient signature. *The fact that a voter provides an address on a candidate or referendum petition that differs from the address for the voter on the voter registration system shall not be deemed sufficient notice, in and of itself, to change the voter's registration address.* Any statements made by any voter applying for transfer are subject to felony penalties for making a false statement pursuant to § 24.2-1016.

B. If the voter has moved within the same county or city, on receipt of the notification, the general registrar for that county or city shall (i) enter the new address on the registration record; (ii) if satisfied that the registered voter has moved into another precinct within the same county or city, transfer the registration of the voter to that precinct; and (iii) issue the voter a new voter registration card. This transfer may be entered in the registration records at any time the registration records are not closed pursuant to § 24.2-416.

C. Any request for transfer or change of address within the Commonwealth delivered to any registrar shall be forwarded to the general registrar for the city or county in the Commonwealth where the voter now resides. When forwarding said notice, or upon request from the registrar for the county or city where the voter now resides, the registrar for the county or city where the voter formerly resided shall forward the original application for registration to the registrar for the voter's new locality.

D. Upon receipt of the voter's original registration application, and notice as specified in subsection A of this section indicating the voter's current residence, the registrar for the county or city in which the voter currently resides shall: (i) enter the new address on the registration record; (ii) if satisfied that the registered voter has moved into a precinct within that county or city, transfer the registration of the voter to that precinct; (iii) issue the voter a new voter registration card; and (iv) notify the registrar of the locality where the voter formerly resided that the registration has been transferred. This transfer may be entered in the registration records at any time the registration records are not closed pursuant to § 24.2-416.

§ 24.2-428.1. Other procedures for assigning registered voters to inactive status.

In addition to the voter list maintenance program provided for in § 24.2-428, the general registrar and the registered voter shall follow the confirmation notification procedures set forth in subsections C through E of § 24.2-428; *if a voter provides an address on a candidate or referendum petition that differs from the address for the voter on the voter registration system or if any of the following documents sent to the registered voter are returned by the Postal Service as undeliverable:*

1. An acknowledgment of registration;
2. An acknowledgment of transfer to a new address;
3. An absentee ballot or application for an absentee ballot sent or provided in accordance with Chapter 7 (§ 24.2-700 et seq.);
4. Notification to a voter after a precinct reassignment;
5. Notification of a change of address sent to a voter in accordance with subsection B of § 24.2-428;

or

6. Any official voter registration or election mail.

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