

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 24.2-422 of the Code of Virginia, relating to appeals of denials of voter*  
3 *registration applications.*

4 [H 1771]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 24.2-422 of the Code of Virginia is amended and reenacted as follows:**

8 § 24.2-422. Appeal of person denied registration.

9 A. A person denied registration shall have the right to appeal, without payment of writ tax or giving  
10 security for costs, to the circuit court of the county or city in which he offers to register by filing with  
11 the clerk of the court, within ten days after the denial, a petition in writing to have his right to register  
12 determined.

13 The petitioner may file his petition by completing and filing a form which shall be prescribed by the  
14 State Board and which shall be used by the general registrar to notify an applicant of the denial of his  
15 application to register and of the reasons for the denial. The form shall (i) state that an applicant denied  
16 registration has the right to appeal to the circuit court of the county or city in which he offers to  
17 register, (ii) give the name and address of the clerk of the circuit court for such county or city (to be  
18 supplied by the general registrar), (iii) state that a filing fee of ten dollars must be paid when filing the  
19 petition, (iv) contain a statement by which the applicant may indicate his desire to petition the court to  
20 have his right to register determined, and (v) provide space for the applicant to state the facts in support  
21 of his right to register.

22 On the filing of a petition to have the right to register determined, the clerk of the court shall  
23 immediately bring the matter to the attention of the chief judge of the court for the scheduling of a  
24 hearing on the petition. The matter shall be heard and determined on the face of the petition, the answer  
25 made in writing by the general registrar, and any evidence introduced as part of the proceedings. The  
26 proceedings shall take precedence over all other business of the court and shall be heard as soon as  
27 possible.

28 On the filing of the petition, the clerk of the court shall immediately give notice to the attorney for  
29 the Commonwealth for his county or city, who shall appear and defend against the petition on behalf of  
30 the Commonwealth.

31 Judgment in favor of the petitioner shall entitle him to registration. From a judgment rendered  
32 against the petitioner, an appeal shall lie to the Supreme Court of Virginia.

33 B. The general registrar shall send a new application for registration to the applicant with the form  
34 prescribed in subsection A ~~of this section~~. The general registrar shall advise the applicant that he may  
35 complete and return the new application, in lieu of filing an appeal, if the reason stated for denial is that  
36 the applicant has failed to sign the application or failed to provide a required item of information on the  
37 application. Any applicant who returns a second application and whose second application is denied  
38 shall have the right to appeal provided in subsection A ~~of this section~~.

39 C. *The provisions of § 24.2-416, pertaining to the closing of registration records in advance of an*  
40 *election, shall apply to any application submitted pursuant to subsection B following a denial of*  
41 *registration.*

ENROLLED

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