

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 24.2-668 of the Code of Virginia, relating to election materials;*
3 *security and retention requirements.*

4
5 Approved

[H 169]

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That § 24.2-668 of the Code of Virginia is amended and reenacted as follows:**

8 § 24.2-668. Pollbooks, statements of results, and ballots to be sealed and delivered to clerk or general
9 registrar.

10 A. After ascertaining the results and before adjourning, the officers shall put the pollbooks, the
11 duplicate statements of results, and any printed inspection and return sheets in the envelopes provided by
12 the State Board. The officers shall seal the envelopes and direct them to the clerk of the circuit court for
13 the county or city. The pollbooks, statements, and sheets thus sealed and directed, the sealed counted
14 ballots envelope or container, and the unused, defaced, spoiled and set aside ballots properly accounted
15 for, packaged and sealed, shall be conveyed by one of the officers to be determined by lot, if they
16 cannot otherwise agree, to the clerk of court by noon on the day following the election.

17 The clerk shall retain custody of the pollbooks until the time has expired for initiating a recount,
18 contest, or other proceeding in which the pollbooks may be needed as evidence and there is no
19 proceeding pending. After that time the clerk shall deliver the pollbooks to the general registrar who
20 shall preserve them for ~~five~~ *two* years from the date of the election. The clerk shall retain the statement
21 of results and any printed inspection and return sheets for two years and may then destroy them.

22 B. The local electoral board may direct that the officers of election, in lieu of conveying the
23 materials to the clerk of the circuit court as provided in subsection A of this section, shall convey the
24 materials to the principal office of the general registrar on the night of the election. The general registrar
25 shall secure and retain the materials in his office and shall convey to the clerk of the court by noon of
26 the day following the election all of the election materials, except the envelopes containing the
27 "Conditional Votes," and the envelopes containing the pollbooks, the statements of results and, if
28 mechanical voting machines are used, one copy of the printed return sheet from each machine.
29 Following the ascertainment of the results of the election by the electoral board, the general registrar
30 shall retain for public inspection one copy of the statement of results and shall immediately convey to
31 the clerk sealed envelopes containing all remaining election materials.

ENROLLED

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