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## HOUSE BILL NO. 2412

AMENDMENT IN THE NATURE OF A SUBSTITUTE  
(Proposed by the Senate Committee on Privileges and Elections  
on February 15, 2005)

(Patron Prior to Substitute—Delegate Brink)

A BILL to amend and reenact § 24.2-1002.01 of the Code of Virginia and to amend the Code of Virginia by adding in Article 3.1 of Chapter 4 of Title 24.2 a section numbered 24.2-416.6, relating to destruction of, or failure to deliver, voter registration applications; instructions; penalty.

Be it enacted by the General Assembly of Virginia:

1. That § 24.2-1002.01 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Article 3.1 of Chapter 4 of Title 24.2 a section numbered 24.2-416.6 as follows:

§ 24.2-416.6. Instructions for voter registration drives.

Whenever the State Board, local electoral board, or general registrar's office furnishes individuals or groups multiple copies of the voter registration application, it shall provide accompanying instructions that contain a copy and explanation of § 24.2-1002.01 and the penalty for destruction of, or failure to mail or deliver, voter registration applications that have been signed. Any like instructions furnished to the public by whatever means shall contain a copy and explanation of § 24.2-1002.01 and the penalty for destruction of, or failure to mail or deliver, voter registration applications.

§ 24.2-1002.01. Destruction of, or failure to mail or deliver, voter registration application; penalty.

If any person (i) agrees to mail or deliver a signed voter registration application to the voter registrar or other appropriate person authorized to receive the application and (ii) intentionally interferes with the applicant's effort to register either by destroying the application or by failing to mail or deliver the application in a timely manner, he shall be guilty of a Class 1 misdemeanor. The mailing or delivery of an application shall be deemed timely for the purposes of this section if it is mailed or delivered within 15 days of the applicant's signature or in accordance with the provisions of § 24.2-416.4 for processing before the closing of the registration records for the pending election whichever comes first. This section shall not apply to any state or local government employee acting in his official capacity. If any person intentionally solicits multiple registrations from any one person or intentionally falsifies a registration application, he shall be guilty of a Class 5 felony.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities and is \$0 for periods of commitment to the custody of the Department of Juvenile Justice.