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HOUSE BILL NO. 2287

Offered January 10, 2007

Prefiled January 9, 2007

A BILL to amend the Code of Virginia by adding a section numbered 24.2-709.1, relating to alternative procedures to expedite counting absentee votes.

Patrons—Watts, Callahan, Caputo, Marsden, Moran, Plum, Rust, Scott, J.M. and Sickles; Senators: Cuccinelli, DeVolites Davis and Howell

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 24.2-709.1 as follows:

§ 24.2-709.1. Alternative procedures for counting absentee ballots.

The electoral board may authorize a general registrar at his option to take one or more of the following measures as needed to expedite counting absentee ballots capable of being read with optical scan counting devices and returned by mail before election day (i) examine the ballot envelopes to verify completion of the required voter affirmation; (ii) mark the pollbook, or the absentee voter applicant list if the pollbook is not available, that the voter has voted; or (iii) open the sealed ballot envelopes and insert the ballots in the optical scan counting equipment without initiating any ballot count totals. If the board authorizes optical scanning as provided in clause (iii), at least two officers of election, one representing each political party, shall be present during all hours when a general registrar uses the expedited procedures authorized in this section. If the general registrar finds that any absentee ballot lacks the required affirmation more than two weeks before election day, the general registrar shall attempt to notify the voter and allow him an opportunity to correct the deficiency. Absentee ballots lacking the required affirmation or otherwise determined to be invalid by an officer of election on election day shall be marked "rejected" and the voter notified as provided in § 24.2-711.1. Except as authorized in this section, absentee ballots returned by mail shall be handled according to the procedures set forth in Chapter 7 of Title 24.2 (§ 24.2-700 et seq.).

INTRODUCED

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