

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact §§ 24.2-101, 24.2-700, 24.2-701, and 24.1-703.1 through 24.2-705.1 of the*
 3 *Code of Virginia, relating to voters eligible to vote absentee.*

4 [S 7]

5 Approved

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

7 **1. That §§ 24.2-101, 24.2-700, 24.2-701, and 24.2-703.1 through 24.2-705.1 of the Code of Virginia**
 8 **are amended and reenacted as follows:**

9 § 24.2-101. Definitions.

10 As used in this title, unless the context requires a different meaning:

11 "Candidate" means a person who seeks or campaigns for an office of the Commonwealth or one of
 12 its governmental units in a general, primary, or special election and who is qualified to have his name
 13 placed on the ballot for the office. "Candidate" shall include a person who seeks the nomination of a
 14 political party or who, by reason of receiving the nomination of a political party for election to an
 15 office, is referred to as its nominee. For the purposes of Chapters 8 (§ 24.2-800 et seq.), 9.3 (§ 24.2-945
 16 et seq.), and 9.5 (§ 24.2-955 et seq.), "candidate" shall include any write-in candidate. However, no
 17 write-in candidate who has received less than 15 percent of the votes cast for the office shall be eligible
 18 to initiate an election contest pursuant to Article 2 (§ 24.2-803 et seq.) of Chapter 8. For the purposes of
 19 Chapters 9.3 (§ 24.2-945 et seq.) and 9.5 (§ 24.2-955 et seq.), "candidate" shall include any person who
 20 raises or spends funds in order to seek or campaign for an office of the Commonwealth, excluding
 21 federal offices, or one of its governmental units in a party nomination process or general, primary, or
 22 special election; and such person shall be considered a candidate until a final report is filed pursuant to
 23 Article 3 (§ 24.2-947 et seq.) of Chapter 9.3.

24 "Central absentee voter precinct" means a precinct established by a county or city pursuant to
 25 § 24.2-712 for the processing of absentee ballots for the county or city or any combination of precincts
 26 within the county or city.

27 "Constitutional office" or "constitutional officer" means a county or city office or officer referred to
 28 in Article VII, Section 4 of the Constitution of Virginia: clerk of the circuit court, attorney for the
 29 Commonwealth, sheriff, commissioner of the revenue, and treasurer.

30 "Election" means a general, primary, or special election.

31 "Election district" means the territory designated by proper authority or by law which is represented
 32 by an official elected by the people, including the Commonwealth, a congressional district, a General
 33 Assembly district, or a district for the election of an official of a county, city, town, or other
 34 governmental unit.

35 "Electoral board" or "local electoral board" means a board appointed pursuant to § 24.2-106 to
 36 administer elections for a county or city. The electoral board of the county in which a town or the
 37 greater part of a town is located shall administer the town's elections.

38 "General election" means an election held in the Commonwealth on the Tuesday after the first
 39 Monday in November or on the first Tuesday in May for the purpose of filling offices regularly
 40 scheduled by law to be filled at those times.

41 "Officer of election" means a person appointed by an electoral board pursuant to § 24.2-115 to serve
 42 at a polling place for any election.

43 "Party" or "political party" means an organization of citizens of the Commonwealth which, at either
 44 of the two preceding statewide general elections, received at least 10 percent of the total vote cast for
 45 any statewide office filled in that election. The organization shall have a state central committee and an
 46 office of elected state chairman which have been continually in existence for the six months preceding
 47 the filing of a nominee for any office.

48 "*Person with a disability*" means a person with a disability as defined by the Virginians with
 49 *Disabilities Act* (§ 51.5-1 et seq.).

50 "Polling place" means the one place provided for each precinct at which the qualified voters who are
 51 residents of the precinct may vote.

52 "Precinct" means the territory designated by the governing body of a county, city, or town to be
 53 served by one polling place.

54 "Primary" or "primary election" means an election held for the purpose of selecting a candidate to be
 55 the nominee of a political party for election to office.

56 "Qualified voter" means a person who is entitled to vote pursuant to the Constitution of Virginia and

57 who is (i) 18 years of age on or before the day of the election or qualified pursuant to § 24.2-403 or
58 subsection D of § 24.2-544, (ii) a resident of the Commonwealth and of the precinct in which he offers
59 to vote, and (iii) registered to vote. No person who has been convicted of a felony shall be a qualified
60 voter unless his civil rights have been restored by the Governor or other appropriate authority. No
61 person adjudicated incapacitated shall be a qualified voter unless his capacity has been reestablished as
62 provided by law.

63 "Qualified voter in a town" means a person who is a resident within the corporate boundaries of the
64 town in which he offers to vote, duly registered in the county of his residence, and otherwise a qualified
65 voter.

66 "Referendum" means any election held pursuant to law to submit a question to the voters for
67 approval or rejection.

68 "Registered voter" means any person who is maintained on the Virginia voter registration system. All
69 registered voters shall be maintained on the Virginia voter registration system with active status unless
70 assigned to inactive status by a general registrar in accordance with Chapter 4 (§ 24.2-400 et seq.). For
71 purposes of applying the precinct size requirements of § 24.2-307, calculating election machine
72 requirements pursuant to Article 3 (§ 24.2-625 et seq.) of Chapter 6, mailing notices of local election
73 district, precinct or polling place changes as required by subdivision 13 of § 24.2-114 and § 24.2-306,
74 and determining the number of signatures required for candidate and voter petitions, "registered voter"
75 shall include only persons maintained on the Virginia voter registration system with active status.

76 "Registration records" means all official records concerning the registration of qualified voters and
77 shall include all records, lists, applications, and files, whether maintained in books, on cards, on
78 automated data bases, or by any other legally permitted record-keeping method.

79 "Residence" or "resident," for all purposes of qualification to register and vote, means and requires
80 both domicile and a place of abode. In determining domicile, consideration may be given to a person's
81 expressed intent, conduct, and all attendant circumstances including, but not limited to, financial
82 independence, business pursuits, employment, income sources, residence for income tax purposes,
83 marital status, residence of parents, spouse and children, if any, leasehold, sites of personal and real
84 property owned by the person, motor vehicle and other personal property registration, and other factors
85 reasonably necessary to determine the qualification of a person to register or vote.

86 "Special election" means any election that is held pursuant to law to fill a vacancy in office or to
87 hold a referendum.

88 "State Board" or "Board" means the State Board of Elections.

89 "Virginia voter registration system" or "voter registration system" means the automated central
90 record-keeping system for all voters registered within the Commonwealth that is maintained as provided
91 in Article 2 (§ 24.2-404 et seq.) of Chapter 4.

92 § 24.2-700. Persons entitled to vote by absentee ballot.

93 The following registered voters may vote by absentee ballot in accordance with the provisions of this
94 chapter in any election in which they are qualified to vote:

95 1. Any person who, in the regular and orderly course of his business, profession, or occupation or
96 while on personal business or vacation, will be absent from the county or city in which he is entitled to
97 vote;

98 2. Any person who is (i) a member of a uniformed service of the United States, as defined in 42
99 U.S.C. § 1973ff-6 (7), on active duty, or (ii) a member of the merchant marine of the United States, or
100 (iii) who temporarily resides outside of the United States, or (iv) the spouse or dependent residing with
101 any person listed in (i), (ii), or (iii), and who will be absent on the day of the election from the county
102 or city in which he is entitled to vote;

103 3. Any student attending a school or institution of learning, or his spouse, who will be absent on the
104 day of election from the county or city in which he is entitled to vote;

105 4. Any *duly registered person with a disability, as defined in § 24.2-101*, who is unable to go in
106 person to the polls on the day of election because of a ~~physical~~ *his* disability or ~~physical~~ illness;

107 5. Any person who is confined while awaiting trial or for having been convicted of a misdemeanor,
108 provided that the trial or release date is scheduled on or after the third day preceding the election. Any
109 person who is awaiting trial and is a resident of the county or city where he is confined shall, on his
110 request, be taken to the polls to vote on election day if his trial date is postponed and he did not have
111 an opportunity to vote absentee;

112 6. Any person who is a member of an electoral board, registrar, officer of election, or custodian of
113 voting equipment;

114 7. Any duly registered person who is unable to go in person to the polls on the day of the election
115 because he is primarily and personally responsible for the care of an ill or disabled family member who
116 is confined at home;

117 8. Any duly registered person who is unable to go in person to the polls on the day of the election

118 because of an obligation occasioned by his religion; or

119 9. Any person who, in the regular and orderly course of his business, profession, or occupation, will
120 be at his place of work and commuting to and from his home to his place of work for eleven or more
121 hours of the thirteen hours that the polls are open pursuant to § 24.2-603.

122 § 24.2-701. Application for absentee ballot.

123 A. The State Board shall furnish each general registrar with a sufficient number of applications for
124 official absentee ballots. The registrars shall furnish applications to persons requesting them.

125 The State Board shall implement a system that enables eligible persons to request and receive an
126 absentee ballot application electronically through the Internet. Electronic absentee ballot applications
127 shall be in a form approved by the State Board.

128 Except as provided in § 24.2-703, a separate application shall be completed for each election in
129 which the applicant offers to vote. An application for an absentee ballot may be accepted the later of (i)
130 12 months before an election, or (ii) the day following any election held in the twelfth month prior to
131 the election in which the applicant is applying to vote.

132 Any application received before the ballots are printed shall be held and processed as soon as the
133 printed ballots for the election are available.

134 For the purposes of this chapter, the general registrar's office shall be open a minimum of eight
135 hours between the hours of 8:00 a.m. and 5:00 p.m. on the first and second Saturday immediately
136 preceding all general elections, except May general elections held in towns, and on the Saturday
137 immediately preceding any primary election, May general election held in a town, or special election.

138 Unless ~~physically~~ *the applicant is* disabled, all applications for absentee ballots shall be signed by the
139 applicant who shall state, subject to felony penalties for making false statements pursuant to
140 § 24.2-1016, that to the best of his knowledge and belief the facts contained in the application are true
141 and correct and that he has not and will not vote in the election at any other place in Virginia or in any
142 other state. If the applicant is unable to sign the application, a person assisting the applicant will note
143 this fact on the applicant signature line and provide his signature, name, and address.

144 B. Applications for absentee ballots shall be completed in the following manner:

145 1. An application completed in person shall be made not less than three days prior to the election in
146 which the applicant offers to vote and completed only in the office of the general registrar. The
147 applicant shall sign the application in the presence of a registrar or a member of the electoral board. The
148 applicant shall provide one of the forms of identification specified in subsection B of § 24.2-643, or if
149 he is unable to present one of the forms of identification listed in that section, he shall sign a statement,
150 subject to felony penalties for making false statements pursuant to § 24.2-1016, that he is the named
151 registered voter who he claims to be. An applicant who requires assistance in voting by reason of
152 ~~physical~~ disability or inability to read or write may request assistance pursuant to § 24.2-649 and be
153 assisted in preparation of this statement in accordance with that section. The provisions of § 24.2-649
154 regarding persons who are unable to sign shall be followed when assisting an applicant in completing
155 this statement.

156 For federal elections held after January 1, 2004, this paragraph shall apply in the case of any voter
157 who is required by subparagraph (b) of 42 U.S.C.S. § 15483 of the Help America Vote Act of 2002 to
158 show identification the first time that voter votes in a federal election in the state. After completing an
159 application for an absentee ballot in person, such voter shall present: (i) a current and valid photo
160 identification; or (ii) a copy of a current utility bill, bank statement, government check, paycheck or
161 other document that shows the name and address of the voter. Such individual who desires to vote in
162 person but who does not show one of the forms of identification specified in this paragraph shall be
163 offered a provisional ballot under the provisions of § 24.2-653. Neither the identification requirements of
164 subsection B of § 24.2-643, nor the identification requirements of subsection A of § 24.2-653, shall
165 apply to such voter at that election. The State Board of Elections shall provide instructions to the
166 electoral boards for the handling and counting of such provisional ballots pursuant to subsection B of
167 § 24.2-653 and this section.

168 2. Any other application may be made by mail, electronic or telephonic transmission to a facsimile
169 device if one is available to the office of the general registrar or the office of the State Board if a
170 device is not available locally, or other means. The application shall be on a form furnished by the
171 registrar or, if made under subdivision 2 of § 24.2-700, may be on a Federal Post Card Application
172 prescribed pursuant to 42 U.S.C. § 1973ff (b) (2). The Federal Post Card Application may be accepted
173 the later of (i) 12 months before an election, or (ii) the day following any election held in the twelfth
174 month prior to the election in which the applicant is applying to vote. The application shall be made to
175 the appropriate registrar no later than 5:00 p.m. on the seventh day prior to the election in which the
176 applicant offers to vote.

177 C. Applications for absentee ballots shall contain the following information:

178 1. The applicant's printed name, the last four digits of the applicant's social security number, and the

179 reason the applicant will be absent or cannot vote at his polling place on the day of the election;

180 2. A statement that he is registered in the county or city in which he offers to vote and his residence
 181 address in such county or city. Any person temporarily residing outside the United States shall provide
 182 the last date of residency at his Virginia residence address, if that residence is no longer available to
 183 him. Any person who makes application under subdivision 2 of § 24.2-700 who is not a registered voter
 184 may file the applications to register and for a ballot simultaneously;

185 3. The complete address to which the ballot is to be sent directly to the applicant, unless the
 186 application is made in person at a time when the printed ballots for the election are available and the
 187 applicant chooses to vote in person at the time of completing his application. The address given shall be
 188 either the address of the applicant on file in the registration records or the address at which he will be
 189 located while absent from his county or city. No ballot shall be sent to, or in care of, any other person;
 190 and

191 4. In the case of a person, or the spouse or dependent of a person, who is on active service as a
 192 member of the armed forces of the United States or a member of the merchant marine of the United
 193 States, the branch of service to which he or the spouse belongs, and his or the spouse's rank, grade, or
 194 rate, and service identification number; or

195 5. In the case of a student, or the spouse of a student, who is attending a school or institution of
 196 learning, the name and address of the school or institution of learning; or

197 6. In the case of a ~~person~~ *any duly registered person with a disability, as defined in § 24.2-101*, who
 198 is unable to go in person to the polls on the day of the election because of a ~~physical~~ *his* disability or
 199 ~~physical~~ *illness, the nature of the disability or illness or disability*; or

200 7. In the case of a person who is confined awaiting trial or for having been convicted of a
 201 misdemeanor, the name and address of the institution of confinement; or

202 8. In the case of a person who will be absent on election day for business reasons, the name of his
 203 employer or business; or

204 9. In the case of a person who will be absent on election day for personal business or vacation
 205 reasons, the name of the county or city in Virginia or the state or country to which he is traveling; or

206 10. In the case of a person who is unable to go to the polls on the day of election because he is
 207 primarily and personally responsible for the care of an ill or disabled family member who is confined at
 208 home, the name of the family member and the nature of his illness or disability; or

209 11. In the case of a person who is unable to go to the polls on the day of election because of an
 210 obligation occasioned by his religion, his religion and the nature of the obligation; or

211 12. In the case of a person who, in the regular and orderly course of his business, profession, or
 212 occupation, will be at his place of work and commuting to and from his home to his place of work for
 213 11 or more hours of the 13 hours that the polls are open pursuant to § 24.2-603, the name of his
 214 business or employer, address of his place of work, and hours he will be at the workplace and
 215 commuting on election day.

216 § 24.2-703.1. Special annual applications for absentee ballots for certain ill or disabled voters.

217 Any person who is eligible for an absentee ballot under subdivision 4 of § 24.2-700 because of a
 218 ~~physical~~ disability or ~~physical~~ illness and who is likely to remain so ~~disabled~~ or ~~ill~~ *eligible* for the
 219 remainder of the calendar year shall be eligible to file a special annual application to receive ballots for
 220 all elections in which he is eligible to vote in a calendar year. His first such application shall be
 221 accompanied by a statement, on a form prescribed by the State Board and signed by the voter and his
 222 physician, *provider as defined in § 37.2-403*, or accredited religious practitioner, that the voter is eligible
 223 for an absentee ballot under subdivision 4 of § 24.2-700 ~~because of a physical disability or physical~~
 224 ~~illness~~ and likely to remain so ~~disabled~~ or ~~ill~~ *eligible* for the remainder of the calendar year.

225 In accordance with procedures established by the State Board, the general registrar shall retain the
 226 application and form, enroll the applicant on a special absentee voter applicant list, and process the
 227 applicant's request for an absentee ballot for each succeeding election in the calendar year. The applicant
 228 shall specify by party designation the primary ballots he is requesting.

229 The general registrar shall send each such enrolled applicant a blank application by December 15 for
 230 each ensuing calendar year, and upon completion thereof, the applicant shall be eligible to receive
 231 ballots for all elections in which he is eligible to vote in that calendar year.

232 If an official reply to the application or an absentee ballot sent to the applicant is returned as
 233 undeliverable, or the general registrar knows that the applicant is no longer a qualified voter, no ballot
 234 for any subsequent election shall be sent to the voter until a new application is filed and accepted.

235 § 24.2-703.2. Replacement absentee ballots for certain disabled or ill voters; penalty.

236 A voter seeking to cast an absentee ballot may obtain a replacement absentee ballot subject to the
 237 following conditions: (i) the voter applied for an absentee ballot under subdivision 4 of § 24.2-700
 238 because of a ~~physical~~ disability or ~~physical~~ illness; (ii) the application was approved and an absentee
 239 ballot mailed to the voter; and (iii) the voter did not receive or has lost the absentee ballot on or before

240 the Saturday before the election. In such case, the voter may request a replacement absentee ballot by
 241 the close of business for the local elections office on the Saturday before election day and designate, in
 242 writing, a representative to obtain a replacement absentee ballot on his behalf from the electoral board or
 243 general registrar and to return the properly completed ballot as directed by the electoral board or general
 244 registrar no later than the close of polls on the day of election for which the absentee ballot is valid.
 245 The representative shall be age eighteen or older and shall not be an elected official, a candidate for
 246 elected office, or the deputy, spouse, parent, or child of an elected official or candidate. The voter and
 247 representative shall complete the form prescribed by the State Board to implement the provisions of this
 248 section. The form shall include a statement signed by the voter that he did not receive the ballot or has
 249 lost the ballot. Statements on the form shall be subject to felony penalties for making false statements
 250 pursuant to § 24.2-1016.

251 § 24.2-704. Applications and ballots for persons requiring assistance in voting; penalty.

252 The application for an absentee ballot shall provide space for the applicant to indicate that he will
 253 require assistance to vote his absentee ballot by reason of blindness, physical disability, or inability to
 254 read or write. On receipt of an application from an applicant marked to indicate he will require
 255 assistance, the electoral board shall deliver, with the items required by § 24.2-706, the voter assistance
 256 form furnished by the State Board pursuant to § 24.2-649. The voter and any person assisting him shall
 257 complete the form by signing the request for assistance and statement required of the assistant. If the
 258 voter is unable to sign the request, the witness will note this fact on the line for signature of voter. The
 259 provisions of § 24.2-649 shall apply to absentee voting and assistance for absentee voters. Any person
 260 who willfully violates the provisions of this section or § 24.2-649 in providing assistance to a person
 261 who is voting absentee shall be guilty of a Class 5 felony.

262 § 24.2-705. Emergency applications and absentee ballots for persons incapacitated or hospitalized.

263 Any person registered and otherwise qualified to vote who becomes incapacitated on or after the
 264 seventh day preceding an election may request at any time prior to 2:00 p.m. on the day preceding the
 265 election that an emergency absentee ballot application be delivered to him. A voter who becomes
 266 hospitalized on or after the fourteenth day preceding the election and who is unable, because of his
 267 condition, to request an absentee ballot earlier than the seventh day preceding the election may request
 268 at any time prior to 2:00 p.m. on the day before an election that an emergency absentee ballot be
 269 delivered to him in the hospital. For purposes of this section, "incapacitated" means hospitalized, ill and
 270 confined to his residence, bereaved by the death of a spouse, child, or parent, or otherwise incapacitated
 271 by an emergency which is found by the electoral board to justify providing an emergency ballot
 272 application; and "hospital" means a hospital as defined in § 32.1-123 or 37.2-100 and any comparable
 273 hospital in the District of Columbia or any state contiguous to Virginia.

274 On receipt of the request, the electoral board shall provide an emergency absentee ballot application
 275 to the incapacitated voter's designated representative who shall deliver the application to the voter. If the
 276 voter is hospitalized, the delivery shall be made to him at the hospital; and if the voter is otherwise
 277 incapacitated, the delivery shall be made to him at his current residence address as shown on the
 278 registration records. The representative shall be age eighteen or older and shall not be an elected official,
 279 a candidate for elected office, or the deputy, spouse, parent, or child of an elected official or candidate.

280 The application shall be on a form prescribed by the State Board and shall require the applicant (i) to
 281 state the cause of his incapacity, (ii) to state that he is unable to be present at the polls on election day,
 282 and that he was either incapacitated on or after the seventh day preceding the election or hospitalized on
 283 or after the fourteenth day preceding the election and unable to request the application earlier than the
 284 seventh day preceding the election, (iii) to designate a representative to receive, deliver and return the
 285 ballot, and (iv) to provide other information required by law for an absentee ballot application.

286 If the voter is hospitalized, a hospital administrative official or, a licensed physician attending the
 287 applicant, or provider as defined in § 37.2-403, shall certify on the form to the hospitalization of the
 288 applicant and the applicant's inability to be present at the polls on election day. If the voter is ill and
 289 confined to his residence, a licensed physician, provider as defined in § 37.2-403, or an accredited
 290 religious practitioner attending the applicant shall certify on the form to the incapacity of the applicant
 291 and the applicant's inability to be present at the polls on election day. If the voter is bereaved, a licensed
 292 physician, an accredited religious practitioner, or a funeral service licensee (as defined in § 54.1-2800)
 293 shall certify on the form to the incapacity of the applicant and the applicant's inability to be present at
 294 the polls on election day. If the voter is otherwise incapacitated as determined by the electoral board, the
 295 secretary of the electoral board shall certify on the form to the incapacity of the applicant and the
 296 applicant's inability to be present at the polls on election day. The applicant shall sign the application
 297 and state, subject to felony penalties for making false statements pursuant to § 24.2-1016, that to the
 298 best of his knowledge and belief the facts contained in the application are true and correct. His signature
 299 shall be witnessed by the designated representative who shall sign and return the completed application
 300 to the office of the general registrar no later than 5:00 p.m. on the day preceding the election. For the

301 purposes of this section, "accredited religious practitioner" means a person who has been trained in
302 spiritual healing or the other healing arts and has been so accredited by a formal religious order.

303 On receipt of the completed application and a determination of the qualification of the applicant to
304 vote, the general registrar or secretary of the electoral board shall provide, in accordance with the
305 applicable provisions of this chapter, an absentee ballot to the designated representative for delivery to
306 the incapacitated voter.

307 The incapacitated voter shall vote the absentee ballot as provided by law and mark it in the presence
308 of the designated representative. The representative shall complete a statement, subject to felony
309 penalties for making false statements pursuant to § 24.2-1016, that (i) he is the representative of the
310 incapacitated voter; (ii) he personally delivered the ballot to the voter who applied for it; (iii) in his
311 presence, the voter marked the ballot, the ballot was placed in the envelope provided, the envelope was
312 sealed, and the statement on its reverse side was signed by the incapacitated voter; and (iv) the ballot
313 was returned, under seal, to the electoral board at the registrar's office.

314 The ballot shall be counted only if the ballot is received by the electoral board prior to the close of
315 polls, and the electoral board shall deliver the ballot to the officers of election at each appropriate
316 precinct pursuant to § 24.2-710.

317 § 24.2-705.1. Late applications and in-person absentee voting for business and medical emergencies.

318 Any person registered and otherwise qualified to vote who becomes obligated after 12:00 noon on
319 the Saturday before an election to be absent from his county or city on election day for a purpose
320 pertaining to (i) his business, profession, or occupation, (ii) the hospitalization of the applicant or a
321 member of his immediate family, or (iii) the death of a member of his immediate family, may apply for
322 an absentee ballot and vote absentee in person pursuant to this section and subject to the following
323 conditions:

324 1. The applicant applies in person for an absentee ballot on the Monday immediately preceding the
325 election, before 2:00 p.m., at the principal office of the registrar; and

326 2. The applicant signs a statement, which shall be deemed part of his absentee ballot application and
327 subject to felony penalties for making false statements pursuant to § 24.2-1016, that he is required to
328 leave the county or city before the opening of the polls on election day for a purpose pertaining to (i)
329 his business, profession or occupation, (ii) the hospitalization of the applicant or a member of his
330 immediate family, or (iii) the death of a member of his immediate family, and that he did not have
331 notice or knowledge of such required travel prior to 12:00 noon on the immediately preceding Saturday.
332 "Immediate family" means the children, grandchildren, grandparents, parents, siblings and spouse of the
333 applicant.

334 *"Hospitalization" refers to confinement in a hospital as defined in § 32.1-123 or 37.2-100 and any*
335 *comparable hospital in the District of Columbia or any state contiguous to Virginia.*