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## SENATE BILL NO. 993

## AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Privileges and Elections  
on January 20, 2009)

(Patrons Prior to Substitute—Senators Miller, J.C., Cuccinelli [SB 826] and Howell [SB 948])

*A BILL to amend and reenact § 24.2-702.1 of the Code of Virginia, relating to federal write-in absentee ballots; witness requirement.*

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

**1. That § 24.2-702.1 of the Code of Virginia is amended and reenacted as follows:**

§ 24.2-702.1. Federal write-in absentee ballots.

A. Notwithstanding any other provision of this title, a qualified absentee voter who is eligible for an absentee ballot under subdivision 2 of § 24.2-700 may use a federal write-in absentee ballot in general, special, and primary elections for federal office. Such ballot shall be submitted and processed in the manner provided by the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. § 1973ff et seq.) and this article.

B. Notwithstanding any other provision of this title, a federal write-in absentee ballot submitted pursuant to subsection A shall be considered valid for purposes of simultaneously satisfying both an absentee ballot application and a completed absentee ballot for federal offices only, provided that the ballot is received ~~not less than five days prior to~~ *no later than the deadline for the return of absentee ballots as provided in § 24.2-709* for the election in which the voter offers to vote, and the application on the envelope contains the following information: (i) the voter's signature; however, if the voter is unable to sign, the person assisting the voter will note this fact in the voter signature box; (ii) the voter's printed name; (iii) the county or city in which he is registered and offers to vote; (iv) the residence address at which he is registered to vote; ~~and~~ (v) his current military or overseas address; ~~and (vi) the signature of a witness who shall sign the same envelope. The envelope must be witnessed, and the witness shall provide his signature, printed name and address in the witness signature box.~~ *If the voter is not currently registered in Virginia and is eligible to be, such federal write-in absentee ballot shall also be considered valid for the purpose of serving as a voter registration application.*