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**HOUSE BILL NO. 362**

Offered January 13, 2010

Prefiled January 12, 2010

A *BILL to amend the Code of Virginia by adding a section numbered 24.2-700.1, relating to elections and early voting.*

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Patrons—Ware, O. and Spruill

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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 24.2-700.1 as follows:****§ 24.2-700.1. Early voting.**

A. Any registered voter may vote early, in accordance with the provisions of this section, in any general, primary, or special election in which he is qualified to vote.

B. Early voting shall begin on the 19th day before an election and end at 5:00 p.m. on the Saturday immediately preceding the election. Early voting shall be provided during regular office hours each weekday during the applicable period, from 9:00 a.m. to 5:00 p.m. on each Saturday during the applicable period, and until 8:00 p.m. on the Monday eight days before the election and the immediately following Tuesday, Wednesday, and Thursday. Early voting shall begin on the seventh day before a special election held on a date other than a general election day and end at 5:00 p.m. on the Saturday immediately preceding the election. Notice of the times and places for early voting shall be given in accordance with the instructions of the State Board.

C. Each electoral board shall provide for early voting in the office of the general registrar or secretary of the electoral board and may provide one or more additional sites at another location or locations in the county, city, or town approved by the electoral board. Any such location shall be in a public building owned or leased by the county, city, or town within the county, with adequate facilities for the protection of all records concerning the early voting process, the early ballots, both voted and unvoted, and any voting equipment in use at the location. Such location may be in a facility owned or leased by the Commonwealth and used as a location for Department of Motor Vehicles facilities and for an office of the general registrar. The State Board shall prescribe procedures for the use of voting equipment. The procedures shall provide for early voting on voting equipment that has been certified, and is currently approved, by the State Board. The procedures shall be applicable and uniformly applied by the State Board to all jurisdictions using comparable voting equipment. At least two officers of election shall be present during all hours that early voting takes place. The officers shall represent the two major political parties except in the case of a party primary when they may represent the party conducting the primary. The requirement that two officers of election shall be present during early voting shall not be applicable when the voting equipment is located in the office of the general registrar or secretary of the electoral board and the general registrar, an assistant registrar, or the secretary of the electoral board and one officer of election are present.

D. Each registered voter shall comply with the identification requirements applicable to voting at the polls on election day.

E. The provisions of this chapter for absentee voting in person shall not be applicable during the period for early voting, and early voting procedures shall be deemed to supersede and replace absentee voting procedures during the early voting period.

F. The State Board shall provide instructions for the preparation, maintenance, and reporting of ballots, pollbooks, records, and returns for early voting.

INTRODUCED

HB362