

2010 SESSION

INTRODUCED

10100831D

HOUSE BILL NO. 63

Offered January 13, 2010

Prefiled December 28, 2009

A *BILL to amend and reenact § 24.2-705.1 of the Code of Virginia, relating to late applications and in-person absentee voting.*

Patrons—Toscano and Keam

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:

1. That § 24.2-705.1 of the Code of Virginia is amended and reenacted as follows:

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

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

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

2. The applicant signs a statement, which shall be deemed part of his absentee ballot application and subject to felony penalties for making false statements pursuant to § 24.2-1016, that he is required to leave the county or city before the opening of the polls on election day for a purpose pertaining to (i) his business, profession or occupation, (ii) the hospitalization of the applicant or a member of his immediate family, or (iii) the death of a member of his immediate family, and that he did not have notice or knowledge of such required travel prior to 12:00 noon on the immediately preceding Saturday. "Immediate family" means the children, *whether of the whole or half blood or by marriage or adoption*, grandchildren, grandparents, parents, *legal guardian*, siblings ~~and~~, spouse of the applicant, *and any other person residing in the same household as the applicant*.

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

INTRODUCED

HB63