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HOUSE BILL NO. 65

Offered January 13, 2010

Prefiled December 28, 2009

A *BILL to amend and reenact § 24.2-620 of the Code of Virginia, relating to restrictions on print-on-demand ballots; restrictions on printing.*

Patron—Toscano

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:

1. That § 24.2-620 of the Code of Virginia is amended and reenacted as follows:

§ 24.2-620. Dividing ballots into packages for each precinct; delivery of absentee ballots.

The electoral board shall cause to be made, in the presence of at least one member of the board, or an employee of the board or the general or an assistant registrar designated by the board, one or more packages of ballots for each precinct in the election district. Each package shall contain a number of ballots determined by the board. Each of these packages shall be securely sealed in the presence of a member of the board or such designated person so that the ballots shall be invisible, and so that the packages cannot be readily opened without detection. On each of the packages shall be endorsed the name of the precinct for which it is intended and the number of ballots therein contained. Thereafter the packages designated for each precinct shall be delivered to the secretary of the board and remain in his exclusive possession until delivered by him, or by another board member, board employee, the general or an assistant registrar designated by the board, to the officers of election of each precinct as provided in § 24.2-621.

The electoral board shall have sufficient ballots for those offering to vote absentee delivered to the general registrar and secretary of the electoral board by the deadline stated in § 24.2-612. Any such ballots remaining unused at the close of the polls on election day shall be sent by the general registrar and the secretary of the electoral board to the clerk of the circuit court of the county or city.

Any print-on-demand ballot system used by a county or city for the purposes of absentee or emergency voting, shall be approved by, and used in accordance with the instructions of, the State Board. Such instructions shall require any person employed or designated by the electoral board to print ballots to sign a statement before the work is commenced agreeing, subject to felony penalties pursuant to § 24.2-1016, that he will: (i) print the number of ballots required for such absentee or emergency voting in accordance with the instructions of the electoral board; (ii) print, and permit to be printed, directly or indirectly, no more than that number; (iii) destroy at once any imperfect and perfect impressions other than those required for such absentee or emergency voting; (iv) distribute the type, if any, used for such work as soon as such number of ballots is printed; and (v) not communicate to anyone, in any manner, the size, style, or contents of such ballots.

INTRODUCED

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