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SENATE BILL NO. 886

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Privileges and Elections
on February 18, 2011)

(Patron Prior to Substitute—Senator Martin)

A BILL to amend and reenact §§ 24.2-442, 24.2-443.3, and 24.2-703 of the Code of Virginia, relating to voter registration; certain overseas voters.

Be it enacted by the General Assembly of Virginia:

1. That §§ 24.2-442, 24.2-443.3, and 24.2-703 of the Code of Virginia are amended and reenacted as follows:

§ 24.2-442. When registration permitted; lapse of registration.

Registration under this article shall be permitted until the registration records are closed pursuant to § 24.2-416 and shall be valid for all elections for which the voter is eligible through the end of the federal election cycle in which the voter submits his application or for 365 days, whichever is longer calendar year in which the voter submits the application. After such period, registration under this article shall no longer be valid. If an official reply to the application or an absentee ballot sent to the applicant is returned as undeliverable, no ballots for subsequent elections shall be sent under that application. No ballot shall be sent to the applicant, and no voted ballot received from the applicant shall be valid, (i) for any election held after the voter has notified the registrar that the voter no longer wishes to be registered or (ii) after the registrar has received notification that the voter has registered to vote in another state.

§ 24.2-443.3. When registration permitted.

Registration under this article shall be permitted until the registration records are closed pursuant to § 24.2-416 and shall be valid for all elections for which the voter is eligible through the end of the federal election cycle in which the voter submits his application or for 365 days, whichever is longer calendar year in which the voter submits the application. If an official reply to the application or an absentee ballot sent to the applicant is returned as undeliverable, no ballots for subsequent elections shall be sent under that application. No ballot shall be sent to the applicant, and no voted ballot received from the applicant shall be valid, (i) for any election held after the voter has notified the registrar that the voter no longer wishes to be registered or (ii) after the registrar has received notification that the voter has registered to vote in another state.

§ 24.2-703. Application for absentee ballots for multiple elections for uniformed and overseas voters.

Any person who is eligible for an absentee ballot under subdivision 2 of § 24.2-700, or for temporary registration under ~~Articles~~ Article 7 (§ 24.2-440 et seq.) or 7.1 (§ 24.2-443.1 et seq.) of Chapter 4, may file a single application to receive ballots for all elections in which he is eligible to vote absentee. The application shall be on a Federal Post Card Application. The application from any person who is eligible for an absentee ballot under subdivision 2 of § 24.2-700 that is received by the general registrar no later than 5:00 p.m. on the seventh day prior to the election shall be valid through the end of the federal election cycle in which the voter submits the application or for 365 days, whichever is longer calendar year in which the voter submits the application. The application from any person applying for temporary registration under ~~Articles~~ Article 7 or 7.1 of Chapter 4 shall be accepted at any time until the registration records are closed pursuant to § 24.2-416 and shall be valid through the end of the federal election cycle in which the voter submits the application or for 365 days, whichever is longer calendar year in which the voter submits the application.

The general registrar shall retain the application and process the applicant's request for an absentee ballot for each election in accordance with procedures established by the State Board. The applicant shall specify by party designation the primary ballots he is requesting.

If an official reply to the application or an absentee ballot sent to the applicant is returned as undeliverable, no ballots for subsequent elections shall be sent. No ballot shall be sent to the applicant, and no voted ballot received from the applicant shall be valid, (i) for any election held after the voter has notified the registrar that the voter no longer wishes to be registered or (ii) after the registrar has received notification that the voter has registered to vote in another state.