

13101183D

## SENATE BILL NO. 739

Senate Amendments in [ ] - February 5, 2013

A *BILL to amend and reenact § 24.2-627 of the Code of Virginia, relating to required number of mechanical and electronic voting devices.*

Patrons Prior to Engrossment—Senator Petersen; Delegates: Surovell and Torian

Referred to Committee on Privileges and Elections

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

**1. That § 24.2-627 of the Code of Virginia is amended and reenacted as follows:**

**§ 24.2-627. Mechanical and electronic voting or counting devices; number required.**

A. The governing body of any county or city which adopts for use at elections mechanical or direct electronic voting systems shall provide for each precinct at least the following number of voting devices:

In each precinct having not more than ~~750~~ 500 registered voters, 1;

In each precinct having more than ~~750~~ 500 but not more than ~~1,500~~ 1,000 registered voters, 2;

In each precinct having more than ~~1,500~~ 1,000 but not more than ~~2,250~~ 1,500 registered voters, 3;

In each precinct having more than ~~2,250~~ 1,500 but not more than ~~3,000~~ 2,000 registered voters, 4;

In each precinct having more than ~~3,000~~ 2,000 but not more than ~~3,750~~ 2,500 registered voters, 5;

In each precinct having more than ~~3,750~~ 2,500 but not more than ~~4,500~~ 3,000 registered voters, 6;

In each precinct having more than ~~4,500~~ 3,000 but not more than ~~5,000~~ 3,500 registered voters, 7;

*In each precinct having more than 3,500 but not more than 4,000 registered voters, 8;*

*In each precinct having more than 4,000 but not more than 4,500 registered voters, 9;*

*In each precinct having more than 4,500 registered voters, 10.*

B. The governing body of any county or city, which adopts for use at elections any electronic system ~~which~~ that requires the voter to vote a ballot ~~which~~ that is inserted in an electronic counter, shall provide for each precinct at least one voting booth with a marking device for each 425 registered voters or portion thereof and shall provide for each precinct at least one counting device.

C. The local electoral board of any county or city shall be authorized to conduct any May general election, primary election, or special election held on a date other than a November general election with the number of voting or marking devices it determines is appropriate for each precinct, notwithstanding the provisions of subsections A and B ~~of this section~~.

D. For purposes of applying this section, an electoral board may exclude persons voting absentee in its calculations, and if it does so, the electoral board shall send to the State Board a statement of the number of voting systems to be used in each precinct. If the State Board finds that the number of voting systems is not sufficient, it may direct the local board to use more voting systems.

**[ 2. That the provisions of this act shall become effective on January 1, 2016. ]**

**[ 2. That the provisions of this act shall not become effective unless an appropriation of general funds effectuating the purposes of this act is included in a general appropriation act passed by the 2013 Session of the General Assembly, which becomes law. ]**

ENGROSSED

SB739E