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HOUSE BILL NO. 55

Offered January 8, 2014

Prefiled December 4, 2013

A *BILL to amend and reenact § 24.2-416.7 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 24.2-418.01 and 24.2-423.1, relating to elections; voter registration; political party affiliation.*

 Patron—Cole

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:

1. That § 24.2-416.7 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding sections numbered 24.2-418.01 and 24.2-423.1 as follows:

§ 24.2-416.7. Application for voter registration by electronic means.

A. Notwithstanding any other provision of law, a person who is qualified to register to vote may apply to register to vote by electronic means as authorized by the State Board by completing an electronic registration application.

B. Notwithstanding any other provision of law, a registered voter may satisfy the requirements of §§ 24.2-423, 24.2-423.1, and 24.2-424 to notify the general registrar of a change of legal name, *political party affiliation or independent status*, or place of residence within the Commonwealth by electronic means as authorized by the State Board by completing an electronic registration application.

C. An electronic registration application completed pursuant to this article shall require that an applicant:

1. Provide the information as required under §§ 24.2-418 and 24.2-418.01;

2. Have a Virginia driver's license or special identification card issued by the Department of Motor Vehicles;

3. Provide a social security number and Department of Motor Vehicles customer identifier number that matches the applicant's record in the Department of Motor Vehicles records;

4. Attest to the truth of the information provided;

5. Sign the application in a manner consistent with the Uniform Electronic Transactions Act (§ 59.1-479 et seq.); and

6. Affirmatively authorize the State Board and general registrar to use the applicant's signature obtained by the Department of Motor Vehicles for voter registration purposes.

D. In order for an individual to complete a transaction under this article, the general registrar shall verify that the Department of Motor Vehicles customer identifier number, date of birth, and social security number provided by the applicant match the information contained in the Department of Motor Vehicles records.

E. The Department of Motor Vehicles shall provide to the State Board a digital copy of the applicant's signature on record with the Department of Motor Vehicles.

F. The State Board shall transmit to the general registrar an applicant's completed voter registration application and digital signature not later than five business days after the date of receipt.

G. Each transaction taking place under this section shall be accompanied by the following statement featured prominently in boldface capital letters: "WARNING: INTENTIONALLY MAKING A MATERIALLY FALSE STATEMENT DURING THIS TRANSACTION CONSTITUTES THE CRIME OF ELECTION FRAUD, WHICH IS PUNISHABLE UNDER VIRGINIA LAW AS A FELONY. VIOLATORS MAY BE SENTENCED TO UP TO 10 YEARS IN PRISON, OR UP TO 12 MONTHS IN JAIL AND/OR FINED UP TO \$2,500."

H. The State Board may use additional security measures to ensure the accuracy and integrity of registration transactions performed under this article.

§ 24.2-418.01. Application for registration; political party affiliation; independent status.

A. On and after January 1, 2015, each application to register shall provide a space for the applicant to state his political party affiliation or independent status. If the applicant does not state a political party affiliation, he shall be designated as independent in the registration records.

B. Each voter registered prior to January 1, 2015, shall be deemed to be an independent in the registration records unless the voter changes his designation to a political party affiliation pursuant to § 24.2-423.1. On and after January 1, 2015, the State Board shall provide the means for each registered voter to provide his political party affiliation or independent status for the voter registration system.

INTRODUCED

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59 **§ 24.2-423.1. Change of political party affiliation or independent status.**

60 A. On and after January 1, 2015, any registered voter may change his political party affiliation or
61 independent status on his registration record by providing notice in writing, signed by him, to the
62 general registrar of the jurisdiction where he is registered. Such notice may be made in person, by mail
63 or facsimile on a form approved by the State Board, or by electronic means pursuant to § 24.2-4 16.7.
64 The notice shall be signed by the voter unless he is physically unable to sign, in which case his own
65 mark acknowledged by a witness shall be sufficient signature. On receipt of the notice prescribed in this
66 subsection, the general registrar shall enter the voter's new political party affiliation or independent
67 status on his registration record and issue the voter a new voter registration card confirming the
68 changed affiliation or status.

69 B. No change in a voter's political party affiliation or independent status shall be entered in the
70 registration records at any time the registration records are closed pursuant to § 24.2-416.

71 **2. That the provisions of this act shall become effective on January 1, 2015.**