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HOUSE BILL NO. 83

Offered January 8, 2014

Prefiled December 10, 2013

A BILL to amend and reenact § 24.2-643, as it is currently effective and as it shall become effective, of the Code of Virginia, relating to elections; voting procedures; voter identification.

Patrons—Krupicka, Mason and Simon

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:

1. That § 24.2-643, as it is currently effective and as it shall become effective, of the Code of Virginia is amended and reenacted as follows:

§ 24.2-643. (Effective until July 1, 2014) Qualified voter permitted to vote; procedures at polling place; voter identification.

A. After the polls are open, each qualified voter at a precinct shall be permitted to vote. The officers of election shall ascertain that a person offering to vote is a qualified voter before admitting him to the voting booth and furnishing an official ballot to him.

B. An officer of election shall ask the voter for his full name and current residence address and repeat, in a voice audible to party and candidate representatives present, the full name and address stated by the voter. The officer shall ask the voter to present any one of the following forms of identification: his Commonwealth of Virginia voter registration card, his social security card, his valid Virginia driver's license, his concealed handgun permit issued pursuant to § 18.2-308.04, or any other identification card issued by a government agency of the Commonwealth, one of its political subdivisions, or the United States; any valid student identification card issued by any institution of higher education located in the Commonwealth of Virginia; any valid employee identification card containing a photograph of the voter and issued by an employer of the voter in the ordinary course of the employer's business; or a copy of a current utility bill, bank statement, government check, or paycheck that shows the name and address of the voter.

An unexpired Virginia driver's license shall be deemed valid identification when presented for purposes of this section notwithstanding the fact that (a) it has been suspended or revoked for the willful failure or refusal to pay any taxes or fees required to be collected or authorized to be collected by the Department of Motor Vehicles under Title 46.2 (§ 46.2-100 et seq.) or (b) it has been suspended or revoked within the past 60 days pursuant to the provisions of Chapter 3 (§ 46.2-300 et seq.) of Title 46.2.

Any voter who does not show one of the forms of identification specified in this subsection shall be offered a provisional ballot under the provisions of § 24.2-653. The State Board of Elections shall provide an ID-ONLY provisional ballot envelope that requires no follow-up action by the registrar or electoral board other than matching submitted identification documents from the voter for the electoral board to make a determination on whether to count the ballot.

If the voter's name is found on the pollbook, if he presents one of the forms of identification listed above, if he is qualified to vote in the election, and if no objection is made, an officer shall enter, opposite the voter's name on the pollbook, the first or next consecutive number from the voter count form provided by the State Board, or shall enter that the voter has voted if the pollbook is in electronic form; an officer shall provide the voter with the official ballot; and another officer shall admit him to the voting booth. Each voter whose name has been marked on the pollbooks as present to vote and entitled to a ballot shall remain in the presence of the officers of election in the polling place until he has voted. If a line of voters who have been marked on the pollbooks as present to vote forms to await entry to the voting booths, the line shall not be permitted to extend outside of the room containing the voting booths and shall remain under observation by the officers of election.

A voter may be accompanied into the voting booth by his child age 15 or younger.

C. If the current residence address stated by the voter is different from the address shown on the pollbook, the officer of election shall furnish the voter with a change of address form prescribed by the State Board. Upon its completion, the voter shall sign the prescribed form, subject to felony penalties for making false statements pursuant to § 24.2-1016, which the officer of election shall then place in an envelope provided for such forms for transmission to the general registrar who shall then transfer or cancel the registration of such voter pursuant to Chapter 4 (§ 24.2-400 et seq.).

D. At the time the voter is asked his full name and current residence address, the officer of election shall ask any voter for whom the pollbook indicates that an identification number other than a social

59 security number is recorded on the Virginia voter registration system if he presently has a social security
60 number. If the voter is able to provide his social security number, he shall be furnished with a voter
61 registration form prescribed by the State Board to update his registration information. Upon its
62 completion, the form shall be placed by the officer of election in an envelope provided for such forms
63 for transmission to the general registrar. Any social security numbers so provided shall be entered by the
64 general registrar in the voter's record on the voter registration system.

65 E. For federal elections held after January 1, 2004, this subsection shall apply in the case of any
66 voter who is required by subparagraph (b) of 42 U.S.C.S. § 15483 of the Help America Vote Act of
67 2002 to show identification the first time the voter votes in a federal election in the state. At such
68 election, such voter shall present (i) a current and valid photo identification or (ii) a copy of a current
69 utility bill, bank statement, government check, paycheck or other government document that shows the
70 name and address of the voter. Such individual who desires to vote in person but who does not show
71 one of the forms of identification specified in this subsection shall be offered a provisional ballot under
72 the provisions of § 24.2-653. Neither the identification requirements of subsection B, nor the
73 identification requirements of subsection A of § 24.2-653, shall apply to such voter at that election. The
74 State Board of Elections shall provide instructions to the electoral boards for the handling and counting
75 of such provisional ballots pursuant to subsection B of § 24.2-653 and this section.

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77 **place; voter identification.**

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79 of election shall ascertain that a person offering to vote is a qualified voter before admitting him to the
80 voting booth and furnishing an official ballot to him.

81 B. An officer of election shall ask the voter for his full name and current residence address and
82 repeat, in a voice audible to party and candidate representatives present, the full name and address stated
83 by the voter. The officer shall ask the voter to present any one of the following forms of identification:
84 his valid Virginia driver's license, his valid United States passport, or any other photo identification
85 issued by the Commonwealth, one of its political subdivisions, or the United States; any valid student
86 identification card containing a photograph of the voter and issued by any institution of higher education
87 located in the Commonwealth; or any valid employee identification card containing a photograph of the
88 voter and issued by an employer of the voter in the ordinary course of the employer's business.

89 *An unexpired Virginia driver's license shall be deemed valid identification when presented for*
90 *purposes of this section notwithstanding the fact that (a) it has been suspended or revoked for the*
91 *willful failure or refusal to pay any taxes or fees required to be collected or authorized to be collected*
92 *by the Department of Motor Vehicles under Title 46.2 (§ 46.2-100 et seq.) or (b) it has been suspended*
93 *or revoked within the past 60 days pursuant to the provisions of Chapter 3 (§ 46.2-300 et seq.) of Title*
94 *46.2.*

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96 offered a provisional ballot under the provisions of § 24.2-653. The State Board of Elections shall
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98 electoral board other than matching submitted identification documents from the voter for the electoral
99 board to make a determination on whether to count the ballot.

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101 above, if he is qualified to vote in the election, and if no objection is made, an officer shall enter,
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103 form provided by the State Board, or shall enter that the voter has voted if the pollbook is in electronic
104 form; an officer shall provide the voter with the official ballot; and another officer shall admit him to
105 the voting booth. Each voter whose name has been marked on the pollbooks as present to vote and
106 entitled to a ballot shall remain in the presence of the officers of election in the polling place until he
107 has voted. If a line of voters who have been marked on the pollbooks as present to vote forms to await
108 entry to the voting booths, the line shall not be permitted to extend outside of the room containing the
109 voting booths and shall remain under observation by the officers of election.

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113 State Board. Upon its completion, the voter shall sign the prescribed form, subject to felony penalties
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119 security number is recorded on the Virginia voter registration system if he presently has a social security
120 number. If the voter is able to provide his social security number, he shall be furnished with a voter

121 registration form prescribed by the State Board to update his registration information. Upon its
122 completion, the form shall be placed by the officer of election in an envelope provided for such forms
123 for transmission to the general registrar. Any social security numbers so provided shall be entered by the
124 general registrar in the voter's record on the voter registration system.

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