

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 24.2-404 of the Code of Virginia, relating to elections; voter*
3 *registration; duties of State Board of Elections.*

4 [S 315]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 24.2-404 of the Code of Virginia is amended and reenacted as follows:**8 **§ 24.2-404. Duties of State Board.**

9 A. The State Board shall provide for the continuing operation and maintenance of a central
10 recordkeeping system, the Virginia Voter Registration System, for all voters registered in the
11 Commonwealth.

12 In order to operate and maintain the system, the Board shall:

13 1. Maintain a complete, separate, and accurate record of all registered voters in the Commonwealth.

14 2. Require the general registrars to enter the names of all registered voters into the system and to
15 change or correct registration records as necessary.

16 3. (Effective until July 1, 2014) Provide to each general registrar, voter registration cards for newly
17 registered voters and for notice to registered voters on the system of changes and corrections in their
18 registration records and polling places.

19 3. (Effective July 1, 2014) Provide to each general registrar, voter registration cards for newly
20 registered voters and for notice to registered voters on the system of changes and corrections in their
21 registration records and polling places and voter registration cards containing the voter's photograph and
22 signature for free for those voters who do not have one of the forms of identification specified in
23 subsection B of § 24.2-643. The Board shall promulgate rules and regulations authorizing each general
24 registrar to obtain a photograph and signature of a voter who does not have one of the forms of
25 identification specified in subsection B of § 24.2-643 for the purpose of providing such voter a
26 registration card containing the voter's photograph and signature. The Board shall provide each general
27 registrar with the equipment necessary to obtain a voter's signature and photograph and no general
28 registrar shall be required to purchase such equipment at his own expense. Photographs and signatures
29 obtained by a general registrar shall be submitted to the Board. The Board may contract with an outside
30 vendor for the production and distribution of voter registration cards containing the voter's photograph
31 and signature.

32 4. Require the general registrars to delete from the record of registered voters the name of any voter
33 who (i) is deceased, (ii) is no longer qualified to vote in the county or city where he is registered due to
34 removal of his residence, (iii) has been convicted of a felony, (iv) has been adjudicated incapacitated,
35 (v) is known not to be a United States citizen by reason of reports from the Department of Motor
36 Vehicles pursuant to § 24.2-410.1 or from the State Board based on information received from the
37 Systematic Alien Verification for Entitlements Program (SAVE Program) pursuant to subsection E, or
38 (vi) is otherwise no longer qualified to vote as may be provided by law. Such action shall be taken no
39 later than 30 days after notification from the Board. The Board shall promptly provide the information
40 referred to in this subdivision, upon receiving it, to general registrars.

41 5. Retain on the system for four years a separate record for registered voters whose names have been
42 deleted, with the reason for deletion.

43 6. Retain on the system permanently a separate record for information received regarding deaths,
44 felony convictions, and adjudications of incapacity pursuant to §§ 24.2-408 through 24.2-410.

45 7. Provide to each general registrar, at least 16 days prior to a general or primary election and three
46 days prior to a special election, an alphabetical list of all registered voters in each precinct or portion of
47 a precinct in which the election is being held in the county, city, or town. These precinct lists shall be
48 used as the official lists of qualified voters and shall constitute the pollbooks. The State Board shall
49 provide instructions for the division of the pollbooks and precinct lists into sections to accommodate the
50 efficient processing of voter lines at the polls. Prior to any general, primary, or special election, the
51 State Board shall provide any general registrar, upon his request, with a separate electronic list of all
52 registered voters in the registrar's county or city. If electronic pollbooks are used in the locality or
53 electronic voter registration inquiry devices are used in precincts in the locality, the State Board shall
54 provide a regional or statewide list of registered voters to the general registrar of the locality. The State
55 Board shall determine whether regional or statewide data is provided. Neither the pollbook nor the
56 regional or statewide list of registered voters shall include the day and month of birth of the voter, but

57 shall include the voter's year of birth.

58 8. Acquire by purchase, lease, or contract equipment necessary to execute the duties of the Board.

59 9. Use any source of information that may assist in carrying out the purposes of this section. All
60 agencies of the Commonwealth shall cooperate with the State Board in procuring and exchanging
61 identification information for the purpose of maintaining the voter registration system. The State Board
62 may share any information that it receives from another agency of the Commonwealth with any Chief
63 Election Officer of another state for the maintenance of the voter registration system.

64 10. Cooperate with other states and jurisdictions to develop systems to compare voters, voter history,
65 and voter registration lists to ensure the accuracy of the voter registration rolls, to identify voters whose
66 addresses have changed, to prevent duplication of registration in more than one state or jurisdiction, and
67 to determine eligibility of individuals to vote in Virginia.

68 11. Reprint and impose a reasonable charge for the sale of any part of Title 24.2, lists of precincts
69 and polling places, statements of election results by precinct, and any other items required of the State
70 Board by law. Receipts from such sales shall be credited to the Board for reimbursement of printing
71 expenses.

72 B. The State Board shall be authorized to provide for the production, distribution, and receipt of
73 information and lists through the Virginia Voter Registration System by any appropriate means
74 including, but not limited to, paper and electronic means.

75 C. The State Board shall institute procedures to ensure that each requirement of this section is
76 fulfilled. As part of its procedures, the State Board shall provide that the general registrar shall mail
77 notice of any cancellation pursuant to clause (v) of subdivision A 4 to the person whose registration is
78 cancelled.

79 D. The State Board shall promulgate rules and regulations to ensure the uniform application of the
80 law for determining a person's residence.

81 E. The State Board shall apply to participate in the Systematic Alien Verification for Entitlements
82 Program (SAVE Program) operated by U.S. Citizenship and Immigration Services of the U.S.
83 Department of Homeland Security for the purposes of verifying that voters listed in the Virginia voter
84 registration system are United States citizens. Upon approval of the application, the State Board shall
85 enter into any required memorandum of agreement with U.S. Citizenship and Immigration Services. The
86 State Board shall promulgate rules and regulations governing the use of the immigration status and
87 citizenship status information received from the SAVE Program.

88 *F. The State Board shall report annually by August 1 for the preceding 12 months ending June 30 to*
89 *the Committees on Privileges and Elections on each of its activities undertaken to maintain the Virginia*
90 *voter registration system and the results of those activities. The Board's report shall encompass activities*
91 *undertaken pursuant to subdivisions A 9 and 10 and subsection E and pursuant to §§ 24.2-404.3,*
92 *24.2-404.4, 24.2-408, 24.2-409, 24.2-409.1, 24.2-410, 24.2-410.1, 24.2-427, and 24.2-428.*