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HOUSE BILL NO. 9

House Amendments in [] — February 9, 2016

A BILL to amend and reenact § 24.2-418 of the Code of Virginia, relating to voter registration; form of the application and required information.

Patron Prior to Engrossment—Delegate Cole

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:

1. That § 24.2-418 of the Code of Virginia is amended and reenacted as follows:

§ 24.2-418. Application for registration.

A. Each applicant to register shall provide, subject to felony penalties for making false statements pursuant to § 24.2-1016, the information necessary to complete the application to register. Unless physically disabled, he shall sign the application. The application to register shall be only on a form or forms prescribed by the State Board.

The form of the application to register shall require the applicant to provide, at a minimum, the following information: full name; gender; date of birth; social security number, if any; whether the applicant is presently a United States citizen; address of residence in the precinct; place of last previous registration to vote; and whether the applicant has ever been adjudicated incapacitated or convicted of a felony, and if so, under what circumstances the applicant's right to vote has been restored.

1. The full name of the applicant, including his first, middle, and last names and suffix. The form shall allow the applicant to so indicate if he does not have a middle name or suffix. The general registrars shall deny the application of any applicant who does not provide his first name [; middle name or indicate none,] and last name.

2. The gender of the applicant. The form shall provide check boxes for the applicant to select "male" or "female." [The general registrars shall deny the application of any applicant who does not provide his gender.]

3. The date of birth of the applicant. The general registrars shall deny the application of any applicant who does not provide his date of birth.

4. Whether the applicant will be at least 18 years of age on or before the date of the next general election. The form shall contain the question "Will you be at least 18 years of age on or before the next general election day?" and check boxes for the applicant to indicate "yes" or "no." The form shall also contain a statement instructing the applicant not to complete the form if checking "no." The general registrars shall deny the application of any applicant who checks "no" or does not provide an answer.

5. The social security number of the applicant. The form shall allow the applicant to so indicate if he does not have a social security number. The general registrars shall deny the application of any applicant who does not provide his social security number or indicate that he does not have one.

6. The current citizenship status of the applicant. The form shall contain the question "Are you a citizen of the United States of America?" and check boxes for the applicant to indicate "yes" or "no." The form shall also contain a statement instructing the applicant not to complete the form if checking "no." The general registrars shall deny the application of any applicant who checks "no" or does not provide an answer.

7. The address of residence of the applicant in the precinct, including street name and number, city or town, and zip code. The form shall allow the applicant to provide a description of his residence location if he has a rural address or is homeless. The general registrars shall deny the application of any applicant who does not provide his residence street address or a description of his residence location if he has a rural address or is homeless.

8. Whether the applicant has ever been convicted of a felony and, if so, whether his voting rights have been restored. The form shall contain the question "Have you ever been convicted of a felony?" and check boxes for the applicant to indicate "yes" or "no." The general registrars shall deny the application of any applicant who does not check "yes" or "no." The form shall also direct an applicant who checks "yes" to indicate whether his voting rights have been restored and, if so, to provide information regarding the circumstances under which his voting rights were restored.

9. Whether the applicant has ever been adjudicated mentally incapacitated and, if so, whether his voting rights have been restored. The form shall contain the question "Have you ever been judged mentally incapacitated?" and check boxes for the applicant to indicate "yes" or "no." The general registrars shall deny the application of any applicant who does not check "yes" or "no." The form shall also direct an applicant who checks "yes" to indicate whether his voting rights have been restored and,

ENGROSSED

HB9E

59 *if so, to provide information regarding the circumstances under which his voting rights were restored.*

60 *10. Previous voter registration information of the applicant, including the address at which he was*
61 *previously registered to vote. The form shall allow the applicant to indicate if he is not currently*
62 *registered in the Commonwealth or in another state. The general registrars shall deny the application of*
63 *any applicant who does not provide his previous voter registration information or does not indicate that*
64 *he is not currently registered in the Commonwealth or in another state.*

65 The form shall contain a statement that whoever votes more than once in any election in the same or
66 different jurisdictions shall be guilty of a Class 6 felony. Unless directed by the applicant or as
67 permitted in § 24.2-411.1 or 24.2-411.2, the registration application shall not be pre-populated with
68 information the applicant is required to provide.

69 B. The form shall permit any individual, as follows, or member of his household, to furnish, in
70 addition to his residence street address, a post office box address located within the Commonwealth to
71 be included in lieu of his street address on the lists of registered voters and persons who voted, which
72 are furnished pursuant to §§ 24.2-405 and 24.2-406, on voter registration records made available for
73 public inspection pursuant to § 24.2-444, or on lists of absentee voter applicants furnished pursuant to
74 § 24.2-706 or 24.2-710. The voter shall comply with the provisions of § 24.2-424 for any change in the
75 post office box address provided under this subsection.

76 1. Any active or retired law-enforcement officer, as defined in § 9.1-101 and in 5 U.S.C. § 8331(20),
77 but excluding officers whose duties relate to detention as defined in 5 U.S.C. § 8331(20);

78 2. Any party granted a protective order issued by or under the authority of any court of competent
79 jurisdiction, including but not limited to courts of the Commonwealth of Virginia;

80 3. Any party who has furnished a signed written statement by the party that he is in fear for his
81 personal safety from another person who has threatened or stalked him, accompanied by evidence that
82 he has filed a complaint with a magistrate or law-enforcement official against such other person;

83 4. Any party participating in the address confidentiality program pursuant to § 2.2-515.2; and

84 5. Any active or retired federal or Virginia justice or judge and any active or retired attorney
85 employed by the United States Attorney General or Virginia Attorney General.

86 C. If the applicant formerly resided in another state, the portion of the application to register listing
87 an applicant's place of last previous registration to vote, or a copy thereof, shall be retained by the
88 general registrar for the city or county where the applicant resides, and the general registrar shall send
89 the original or a copy to the appropriate voter registration official or other authority of another state
90 where the applicant formerly resided.