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SENATE BILL NO. 490

Offered January 13, 2016

Prefiled January 12, 2016

A BILL to amend and reenact § 24.2-455 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 24.2-458.1, relating to the Uniform Military and Overseas Voters Act; applying for and casting military-overseas ballots.

Patrons—DeSteph, McDougle and Reeves; Delegate: Lingamfelter

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:

1. That § 24.2-455 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 24.2-458.1 as follows:

§ 24.2-455. Role of Commissioner of Elections.

A. The Commissioner of Elections is the state official responsible for implementing this chapter and Virginia's responsibilities under the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. § 20301 et seq.

B. The Commissioner shall make available to covered voters information regarding voter registration procedures for covered voters and procedures for casting military-overseas ballots. The Commissioner may delegate the responsibility under this subsection only to the state office designated in compliance with § 102(b)(1) of the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. § 20302(b)(1).

C. The Commissioner shall coordinate with local electoral boards to establish an appropriate system through which a covered voter may apply for and receive voter registration materials, military-overseas ballots, and other information under this chapter. *This system shall also be capable of accepting the submission of voted military-overseas ballots cast by an active duty member of a uniformed service who has been called to duty for deployment to a combat zone.*

D. The Commissioner shall:

1. Develop standardized absentee-voting materials, including privacy and transmission envelopes, authentication materials, and voting instructions to be used with the military-overseas ballot of a voter authorized to vote in any jurisdiction in this state; and

2. To the extent reasonably possible, coordinate with other states to carry out this subsection.

E. The Commissioner shall prescribe the form and content of a declaration for use by a covered voter to swear or affirm specific representations pertaining to the voter's identity, eligibility to vote, status as a covered voter, and timely and proper completion of an overseas-military ballot. The declaration must be based on the declaration prescribed to accompany a federal write-in absentee ballot, as modified to be consistent with this chapter. The Commissioner shall ensure that a form for the execution of the declaration, including an indication of the date of execution of the declaration, is a prominent part of all balloting materials for which the declaration is required.

§ 24.2-458.1. Permitted form of signature.

An active duty member of a uniformed service who has been called to duty for deployment to a combat zone and who is applying for or casting a military-overseas ballot shall be permitted to sign the military-overseas ballot application, the statement of voter accompanying the military-overseas ballot, and any other related documents using his digital signature associated with his unique Common Access Card issued by the U.S. Department of Defense. Such signature shall be deemed to meet the requirements of §§ 24.2-706 and 24.2-707.

INTRODUCED

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