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HOUSE BILL NO. 1430

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the House Committee on Privileges and Elections
on January 20, 2017)

(Patron Prior to Substitute—Delegate Fowler)

A BILL to amend and reenact § 24.2-416.6 of the Code of Virginia, relating to third-party registration groups; registration, disclosure, and recordkeeping requirements; compensation prohibition.

Be it enacted by the General Assembly of Virginia:

1. That § 24.2-416.6 of the Code of Virginia is amended and reenacted as follows:

§ 24.2-416.6. Third-party registration groups; registration, disclosure, and recordkeeping requirements; compensation prohibition.

A. Prior to engaging in any voter registration activities, any individual or organization that obtains 25 or more voter registration applications from the Department of Elections, local electoral board, or general registrar's office shall be required to register with the Department of Elections as a third-party registration group. The Department shall issue a unique identification number to each such individual or organization. Persons volunteering with or employed by a third-party registration group shall also register with the Department as a volunteer or employee of that group. Such group may facilitate the registration of its volunteers or employees with the Department.

B. Each person volunteering with or employed by a third-party registration group shall be assigned by the group's organizer a unique identification number, which shall be in a format approved by the State Board. Each group shall maintain a record of all volunteers and employees engaging in voter registration activities on behalf of the group. Such record shall include the name and contact information of each such person and his unique identification number. This record shall be provided to the Department of Elections within five business days of the close of registration records pursuant to § 24.2-416. The record shall also be provided to the Department upon request, within three business days of such request.

C. All persons engaging in voter registration activities pursuant to this section shall be required to receive training approved by the State Board prior to engaging in such voter registration activities. Each person shall sign a sworn affidavit on a form prescribed by the State Board attesting that he will abide by all Virginia laws and rules regarding the registration of voters. When engaging in voter registration activities, each person shall maintain a log of his registration activities. This log shall include information as required by the State Board and shall be submitted with all completed applications collected by such person. Each person shall include on a voter registration application the identification number issued by the Department and, in the case of a volunteer or employee of a third-party registration group, the identification number assigned to him by his group's organizer. No application for registration shall be rejected for the failure of the third-party registration group to put such identification number on the application.

D. No third-party registration group shall compensate its volunteers or employees on the basis of the number of completed voter registration applications the volunteer or employee collects. No volunteer or employee of a third-party registration group shall accept compensation based on the number of completed voter registration applications he collects.

E. Whenever the Department of Elections, local electoral board, or general registrar's office furnishes registers individuals or groups multiple copies of the voter registration application as a third-party registration group, it shall provide accompanying instructions that contain a copy and explanation of § 24.2-1002.01 and the penalty for destruction of, or failure to mail or deliver, voter registration applications that have been signed. Any like instructions furnished to the public by whatever means shall contain a copy and explanation of § 24.2-1002.01 and the penalty for destruction of, or failure to mail or deliver, voter registration applications. When obtaining 25 or more voter registration applications, such individuals or groups shall be required to register with and provide to the Department, local electoral board, or general registrar's office such information as required by the Department. Such individuals or agents representing a group shall be required to receive training as approved by the State Board and sign a sworn affidavit on a form prescribed by the State Board attesting that such individuals or organizations will abide by all Virginia laws and rules regarding the registration of voters.