

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 24.2-711 of the Code of Virginia, relating to absentee voting; processing*  
 3 *of rejected absentee ballots.*

[S 961]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 24.2-711 of the Code of Virginia is amended and reenacted as follows:**8 **§ 24.2-711. Duties of officers of election.**

9 Before the polls open, the officers of election at each precinct shall mark, for each person on the  
 10 absentee voter applicant list, the letters "AB" (meaning absentee ballot) in the voting record column on  
 11 the pollbook. The pollbook may be so marked prior to election day by the general registrar, the  
 12 secretary of the electoral board, or staff under the direction of the general registrar or the secretary, or  
 13 when the pollbook is produced by the State Board pursuant to § 24.2-404. If the pollbook has been  
 14 marked prior to election day, before the polls open the officers of election at each precinct shall check  
 15 the marks for accuracy and make any additions or corrections required.

16 The chief officer of election shall keep the copy of the absentee voter applicant list in the polling  
 17 place as a public record open for inspection upon request at all times while the polls are open.

18 If a voter, whose name appears on the absentee voter applicant list, has not returned an unused ballot  
 19 and offers to vote in his precinct, the officers of election in the precinct shall determine the matter  
 20 pursuant to §§ 24.2-653.1 and 24.2-708.

21 Immediately after the close of the polls, the container of absentee ballots shall be opened by the  
 22 officers of election. As each ballot envelope is removed from the container, the name of the voter shall  
 23 be called and checked as if the voter were voting in person. If the voter is found entitled to vote, an  
 24 officer shall mark the voter's name on the pollbook with the first or next consecutive number from the  
 25 voter count form, or shall enter that the voter has voted if the pollbook is in electronic form. The ballot  
 26 envelope shall then be opened, and the ballot deposited in the ballot container without being unfolded or  
 27 examined. If the voter is found not entitled to vote, the unopened envelope shall be rejected. An  
 28 unopened envelope shall not be rejected on the sole basis of a voter's failure to provide in the statement  
 29 on the back of the unopened envelope his full middle name or his middle initial, unless the voter also  
 30 failed to provide his full first and last name. An unopened envelope shall not be rejected on the sole  
 31 basis of a voter's failure to provide the date, or any part of the date, including the year, on which he  
 32 signed the statement printed on the back of the envelope. ~~A majority of the officers~~ *At least two officers*  
 33 *of election, one representing each political party,* shall write and sign a statement of the cause for  
 34 rejection on the envelope or on an attachment to the envelope.

35 When all ballots have been accounted for and either voted or rejected, the officers shall place the  
 36 empty ballot envelopes, the return envelopes, and any rejected ballot envelopes, in one envelope  
 37 provided for the purpose and seal and deliver it with the ballots cast at the election as provided in this  
 38 title.

ENROLLED

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