

VIRGINIA ACTS OF ASSEMBLY -- 2020 SESSION

CHAPTER 297

An Act to amend and reenact §§ 24.2-610 and 24.2-611 of the Code of Virginia, relating to pollbooks; requirement for printed copies of pollbooks.

[H 1421]

Approved March 11, 2020

Be it enacted by the General Assembly of Virginia:

1. That §§ 24.2-610 and 24.2-611 of the Code of Virginia are amended and reenacted as follows:

§ 24.2-610. Materials at polling places.

A. The ~~State Board~~ *Department* shall provide copies of this title to each member of the electoral boards and to each general registrar for each precinct in the county or city. The general registrar shall furnish a copy of this title to each precinct for the use of the officers of election on election day.

B. Pursuant to subdivision A 7 of § 24.2-404, the ~~State Board~~ *Department* shall transmit to the general registrar of each county and city pollbooks for each precinct in which the election is to be held. *For each primary and general election, the general registrar shall produce and distribute a printed copy of the pollbook to each precinct.* The data elements printed or otherwise provided for each voter on the pollbooks shall be uniform throughout the Commonwealth.

C. The electoral board, general registrar, and officers of election shall comply with the requirements of this title and the instructions of the State Board to ensure that the pollbooks, ballots, voting equipment keys, and other materials and supplies required to conduct the election are delivered to the polling place before 6:00 a.m. on the day of the election and delivered to the proper official following the election.

§ 24.2-611. Form and signing of pollbooks; records of persons voting; electronic pollbooks.

A. The following oath shall be on a form prescribed by the State Board, administered to all officers of election, and kept by the officers of election with the pollbook:

"I do solemnly swear (or affirm) that I will perform the duties for this election according to law and the best of my ability, and that I will studiously endeavor to prevent fraud, deceit, and abuse in conducting this election."

The oath shall be administered to each officer of election by the general registrar, a member of the electoral board, or an officer of election designated by the general registrar and secretary of the electoral board, who shall be so identified on the form. The oath shall be signed by each officer of election and the person administering the oath. The pollbook shall be marked to identify the election for which it is used.

B. The ~~State Board~~ *Department* shall provide the pollbook pursuant to subdivision A 7 of § 24.2-404. The pollbook shall (i) provide a space for the officer of election to record the name and consecutive number of the voter at the time he offers to vote and (ii) be retained in accordance with the provisions governing pollbooks in this title. The ~~State Board~~ *Department* shall make available a numerical check sheet required to be used with pollbooks in printed form to determine the consecutive number to be recorded with the name of the voter by the officer of election. In electronic pollbooks, the consecutive number shall be entered automatically when the officer of election records that the voter has voted. When the name and number of the last qualified voter have been entered on the pollbook, the officer of election responsible for that pollbook shall sign a statement on the check sheet, or on a separate form if an electronic pollbook is used, certifying the number of qualified registrants who have voted. The ~~State Board~~ *Department* shall provide instructions to the local electoral boards, general registrars, and officers of election for the conduct of the election and for procedures for entering a voting record for each voter and recording each voter's name, including voters unable to enter the polling place, and for verifying the accurate entry of the voting record for each registrant on the Virginia Voter Registration System. Notwithstanding any other provision of this title, for any election held on or after November 1, 2010 2020, all pollbooks provided by the ~~State Board~~ *Department* shall be in electronic form only.

C. The ~~State Board~~ *Department* shall incorporate safeguards to assure that the records of the election, including the pollbook, voter count sheets, or other alternative records, will provide promptly an accurate and secure record of those who have voted.

D. Any locality may expend its own funds to purchase electronic pollbooks that have been approved for use in elections by the State Board.

E. *The general registrar shall produce a paper copy of the pollbook specified in subsection B for each precinct in any primary or general election.*

F. In the event that the electronic pollbooks for a precinct fail to operate properly and no alternative voter list or pollbook is available, the officers of election, in accordance with the instructions and

materials approved by the State Board, shall (i) maintain a written list of the persons voting and (ii) provide to each person voting a provisional ballot to be cast as provided in § 24.2-653.