

# 2020 SESSION

## HOUSE SUBSTITUTE

20107265D

### HOUSE BILL NO. 872

#### AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Privileges and Elections  
on January 31, 2020)

(Patrons Prior to Substitute—Delegates Bourne and Simon [HB 185])

*A BILL to amend and reenact § 24.2-416.1 of the Code of Virginia, relating to voter registration by mail; certain first-time voters permitted to vote by absentee ballot.*

**Be it enacted by the General Assembly of Virginia:**

**1. That § 24.2-416.1 of the Code of Virginia is amended and reenacted as follows:**

**§ 24.2-416.1. Voter registration by mail.**

A. A person may apply to register to vote by mail by completing and returning a mail voter registration application form in the manner and time provided by law.

B. Any person, who applies to register to vote by mail pursuant to this article and who has not previously voted in the county or city in which he registers to vote, shall be required to vote in person, either at the polls on election day or in-person absentee. However, this requirement to vote in person shall not apply to a person so long as he (i) is entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. § 20302 et seq.); (ii) is provided the right to vote otherwise than in person under § 3(b)(2)(B)(ii) of the Voting Accessibility for the Elderly and Handicapped Act (52 U.S.C. § 20102(b)(2)(B)(ii)), including any disabled voter and any voter age 65 or older who is otherwise qualified to vote absentee under § 24.2-700; (iii) *is entitled to vote by absentee ballot by reason of his confinement while awaiting trial or for having been convicted of a misdemeanor*; (iv) is entitled to vote otherwise than in person under other federal law; ~~(iv)~~ (v) is a full-time student in an institution of higher education; or ~~(v)~~ (vi) requests to vote an absentee ballot by mail for presidential and vice-presidential elections only, for any reason, as entitled by federal law.

HOUSE  
SUBSTITUTE

HB872H1