

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 24.2-707 of the Code of Virginia, relating to absentee voting; witness*  
3 *signature not required during declared state of emergency related to a communicable disease of*  
4 *public health threat.*

5 [S 1097]

6 Approved

7 **Be it enacted by the General Assembly of Virginia:**8 **1. That § 24.2-707 of the Code of Virginia is amended and reenacted as follows:**9 **§ 24.2-707. How ballots marked and returned by mail.**

10 On receipt of a mailed absentee ballot, the voter shall, in the presence of a witness, (i) open the  
11 sealed envelope marked "ballot within" and (ii) mark and refold the ballot, as provided in §§ 24.2-644  
12 and 24.2-646 without assistance and without making known how he marked the ballot, except as  
13 provided by § 24.2-704.

14 After the voter has marked his absentee ballot, he shall (a) enclose the ballot in the envelope  
15 provided for that purpose, (b) seal the envelope, (c) fill in and sign the statement printed on the back of  
16 the envelope in the presence of a witness, who shall sign the same envelope, (d) enclose the ballot  
17 envelope and any required assistance form within the envelope directed to the general registrar, and (e)  
18 seal that envelope and mail it to the office of the general registrar or deliver it personally to the general  
19 registrar. A voter's failure to provide in the statement on the back of the envelope his full middle name  
20 or his middle initial shall not be a material omission, rendering his ballot void, unless the voter failed to  
21 provide in the statement on the back of the envelope his full first and last name. A voter's failure to  
22 provide the date, or any part of the date, including the year, on which he signed the statement printed  
23 on the back of the envelope shall not be considered a material omission and shall not render his ballot  
24 void. *A voter's failure to have a witness sign the absentee ballot return envelope for any election held*  
25 *during a declared state of emergency related to a communicable disease of public health threat shall*  
26 *not be considered a material omission and shall not render his ballot void.*

27 For purposes of this chapter, "mail" shall include delivery by a commercial delivery service, but shall  
28 not include delivery by a personal courier service or another individual except as provided by  
29 §§ 24.2-703.2 and 24.2-705.

30 Failure to follow the procedures set forth in this section shall render the applicant's ballot void.

31 **2. That the Department of Elections shall convene a work group to consider and evaluate**  
32 **alternatives to the witness signature requirement for election officials to use to verify that an**  
33 **absentee ballot has been cast by the voter identified as having requested and received the absentee**  
34 **ballot. The work group shall include such persons determined by the Department of Elections as**  
35 **necessary or appropriate. The work group shall organize no later than July 31, 2021, and shall**  
36 **complete its work no later than October 31, 2021. If recommending any specific policies or**  
37 **legislative proposals, the work group, through the Commissioner of Elections, shall communicate**  
38 **such recommendations to the Chairmen of the House and Senate Committees on Privileges and**  
39 **Elections by November 15, 2021.**