

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to amend and reenact § 24.2-643 of the Code of Virginia, relating to voter identification; accepted forms of identification; private entities licensed or certified by certain state agencies.

[H 26]

Approved

Be it enacted by the General Assembly of Virginia:

1. That § 24.2-643 of the Code of Virginia is amended and reenacted as follows:

§ 24.2-643. Qualified voter permitted to vote; procedures at polling place; voter identification.

A. After the polls are open, each qualified voter at a precinct shall be permitted to vote. The officers of election shall ascertain that a person offering to vote is a qualified voter before admitting him to the voting booth and furnishing an official ballot to him.

B. An officer of election shall ask the voter for his full name and current residence address and the voter may give such information orally or in writing. The officer of election shall verify with the voter his full name and address and shall repeat, in a voice audible to party and candidate representatives present, the full name provided by the voter. The officer shall ask the voter to present any one of the following forms of identification: (i) his voter confirmation documents; (ii) his valid Virginia driver's license, his valid United States passport, or any other identification issued by the Commonwealth, one of its political subdivisions, or the United States, other than a driver privilege card issued under § 46.2-328.3 or an identification privilege card issued under § 46.2-345.3; (iii) any valid student identification card issued by any institution of higher education located in the Commonwealth or any private school located in the Commonwealth; (iv) any valid student identification card containing a photograph of the voter and issued by any institution of higher education located in any other state or territory of the United States; (v) any valid employee identification card containing a photograph of the voter and issued by an employer of the voter in the ordinary course of the employer's business; (vi) *any valid identification card containing a photograph of the voter and issued by any private entity that is licensed or certified, in whole or in part, by the Department of Health, Department of Social Services, Department of Medical Assistance Services, or Department of Behavioral Health and Developmental Services; or* ~~(vi)~~ (vii) a copy of a current utility bill, bank statement, government check, paycheck, or other government document containing the name and address of the voter. The expiration date on a Virginia driver's license shall not be considered when determining the validity of the driver's license offered for purposes of this section.

Except as provided in subsection E, any voter who does not show one of the forms of identification specified in this subsection shall be allowed to vote after signing a statement, subject to felony penalties for false statements pursuant to § 24.2-1016, that he is the named registered voter he claims to be. A voter who requires assistance in voting by reason of a physical disability or an inability to read or write, and who requests assistance pursuant to § 24.2-649, may be assisted in preparation of this statement in accordance with that section. The provisions of § 24.2-649 regarding voters who are unable to sign shall be followed when assisting a voter in completing this statement. A voter who does not show one of the forms of identification specified in this subsection and does not sign this statement shall be offered a provisional ballot under the provisions of § 24.2-653. The State Board of Elections shall provide an ID-ONLY provisional ballot envelope that requires no follow-up action by the registrar or electoral board other than matching submitted identification documents from the voter for the electoral board to make a determination on whether to count the ballot.

If the voter presents one of the forms of identification listed above, if his name is found on the pollbook in a form identical to or substantially similar to the name on the presented form of identification and the name provided by the voter, if he is qualified to vote in the election, and if no objection is made, an officer shall enter, opposite the voter's name on the pollbook, the first or next consecutive number from the voter count form provided by the State Board, or shall enter that the voter has voted if the pollbook is in electronic form; an officer shall provide the voter with the official ballot; and another officer shall admit him to the voting booth. Each voter whose name has been marked on the pollbooks as present to vote and entitled to a ballot shall remain in the presence of the officers of election in the polling place until he has voted. If a line of voters who have been marked on the pollbooks as present to vote forms to await entry to the voting booths, the line shall not be permitted to extend outside of the room containing the voting booths and shall remain under observation by the officers of election.

A voter may be accompanied into the voting booth by his child age 15 or younger.

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57 C. If the current residence address provided by the voter is different from the address shown on the
58 pollbook, the officer of election shall furnish the voter with a change of address form prescribed by the
59 State Board. Upon its completion, the voter shall sign the prescribed form, subject to felony penalties
60 for making false statements pursuant to § 24.2-1016, which the officer of election shall then place in an
61 envelope provided for such forms for transmission to the general registrar who shall then transfer or
62 cancel the registration of such voter pursuant to Chapter 4 (§ 24.2-400 et seq.).

63 D. At the time the voter is asked his full name and current residence address, the officer of election
64 shall ask any voter for whom the pollbook indicates that an identification number other than a social
65 security number is recorded on the Virginia voter registration system if he presently has a social security
66 number. If the voter is able to provide his social security number, he shall be furnished with a voter
67 registration form prescribed by the State Board to update his registration information. Upon its
68 completion, the form shall be placed by the officer of election in an envelope provided for such forms
69 for transmission to the general registrar. Any social security numbers so provided shall be entered by the
70 general registrar in the voter's record on the voter registration system.

71 E. This subsection shall apply in the case of any individual who is required by subparagraph (b) of
72 52 U.S.C. § 21083 of the Help America Vote Act of 2002 to show identification the first time he votes
73 in a federal election in the state. At such election, such individual shall present (i) a current and valid
74 photo identification or (ii) a copy of a current utility bill, bank statement, government check, paycheck,
75 or other government document that shows the name and address of the voter. Such individual who
76 desires to vote in person but does not show one of the forms of identification specified in this
77 subsection shall be offered a provisional ballot under the provisions of § 24.2-653. The identification
78 requirements of subsection B of this section and subsection A of § 24.2-653 shall not apply to such
79 voter at such election. The Department of Elections shall provide instructions to the electoral boards for
80 the handling and counting of such provisional ballots pursuant to subsection B of § 24.2-653 and this
81 section.