

VIRGINIA ACTS OF ASSEMBLY -- 1995 SESSION

CHAPTER 157

An Act to amend and reenact § 24.2-700 of the Code of Virginia, relating to absentee voting.

[S 768]

Approved March 10, 1995

Be it enacted by the General Assembly of Virginia:

1. That § 24.2-700 of the Code of Virginia is amended and reenacted as follows:

§ 24.2-700. Persons entitled to vote by absentee ballot.

The following registered voters may vote by absentee ballot in accordance with the provisions of this chapter in any election in which they are qualified to vote:

1. Any person who, in the regular and orderly course of his business, profession, or occupation or while on personal business or vacation, will be absent from the county or city in which he is entitled to vote;

2. Any person who is (i) *a member of a uniformed service of the United States, as defined in 42 U.S.C. § 1973ff-6(7), on active service as a member of the armed forces of the United States duty*, or (ii) a member of the merchant marine of the United States, or (iii) regularly employed in a business, profession or occupation outside the continental limits of the United States, or (iv) the spouse or dependent residing with any person listed in (i), (ii), or (iii), and who will be absent on the day of the election from the county or city in which he is entitled to vote;

3. Any student attending a school or institution of learning, or his spouse, who will be absent on the day of election from the county or city in which he is entitled to vote;

4. Any person who is unable to go in person to the polls on the day of election because of a physical disability or physical illness;

5. Any person who is confined while awaiting trial or for having been convicted of a misdemeanor, provided that the trial or release date is scheduled on or after the third day preceding the election. Any person who is awaiting trial and is a resident of the county or city where he is confined shall, on his request, be taken to the polls to vote on election day if his trial date is postponed and he did not have an opportunity to vote absentee;

6. Any person who is a member of an electoral board, registrar, officer of election, or custodian of voting equipment; or

7. Any duly registered person who is unable to go in person to the polls on the day of the election because he is primarily and personally responsible for the care of an ill or disabled family member who is confined at home.