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HOUSE BILL NO. 2021

Offered January 13, 1997

A BILL to amend and reenact §§ 24.2-639, 24.2-656, and 24.2-667 of the Code of Virginia, relating to duties of officers of election with respect to voting equipment, pollbooks, and statements of results.

Patron—Putney

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:

1. That §§ 24.2-639, 24.2-656, and 24.2-667 of the Code of Virginia are amended and reenacted as follows:

§ 24.2-639. Duties of officers of election.

The officers of election of each precinct at which voting or counting equipment is used shall meet at the polling place by 5:15 a.m. on the day of the election and arrange the equipment, furniture, and other materials for the conduct of the election. The officers of election shall verify that all required equipment, ballots, and other materials have been delivered to them for the election. The officers shall post at least two instruction cards for mechanical or direct electronic voting devices conspicuously within the polling place.

The keys to the equipment shall be delivered, prior to the opening of the polls, to the officer of election designated by the electoral board in a sealed envelope on which has been written or printed the number of each device, the number of the seal, and the number registered on the protective counter, if one. The envelope containing the keys shall not be opened until all of the officers of election for the precinct are present at the polling place and have examined the envelope to see that it has not been opened. The equipment shall remain locked against voting until the polls are formally opened and shall not be operated except by voters in voting.

Before opening the polls, each officer shall examine the equipment and see that no vote has been cast and that the counters register zero. The officers shall conduct their examination in the presence of the following party and candidate representatives: (i) in a general election, a representative of each political party or (ii) in a primary election, a representative of each party holding a primary, or (iii) in a city or town council election in which no candidate is a party nominee and which is held when no other election having party nominees is being conducted, a representative of each candidate, if such representatives are available. If any counter is found not to register zero, the ~~officers~~ *chief officer and the assistant officer* shall make a written statement identifying the counter, together with the number registered on it, and shall sign and post the statement on the wall of the polling room, where it shall remain during the day of election. The ~~officers~~ *chief officer and the assistant officer* shall enter a similar statement on the statement of results. In determining the results, they shall subtract such number from the final total registered on that counter.

§ 24.2-656. Officers to sign pollbooks.

As soon as the last absentee ballot, if any, is cast, the ~~officers of election~~ *chief officer of election or the assistant officer* shall write on the pollbook, in accordance with their instructions, the words "Polls Closed," the date of the election, and the time of their endorsement. ~~They~~ *Both the chief officer and the assistant officer* shall sign the pollbook immediately following their endorsement and proceed to ascertain the vote.

§ 24.2-667. Completion of statement of results.

At the conclusion of determining the votes cast on voting devices and paper ballots, the ~~officers of election~~ *chief officer of election and the assistant officer* shall verify that all required data has been accurately entered, sign both copies of the statement of results, and affirm that the statement is complete and the information thereon is true and correct.

INTRODUCED

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