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HOUSE BILL NO. 2387

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Privileges and Elections
on January 25, 1997)

(Patron Prior to Substitute—Delegate Callahan)

A BILL to amend and reenact §§ 24.2-618, 24.2-620, and 24.2-621 of the Code of Virginia, relating to elections and the delivery and packaging of ballots.

Be it enacted by the General Assembly of Virginia:

1. That §§ 24.2-618, 24.2-620, and 24.2-621 of the Code of Virginia are amended and reenacted as follows:

§ 24.2-618. Delivery of ballots to electoral board; checking and recording number.

The electoral board shall meet as soon as convenient after the printing of the ballots designate one of its members or employees or the general or an assistant registrar to receive the ballots after they are printed. Only members of the board and the person, who was designated by it to receive the ballots from the printer, shall be present at the meeting. The member of the board or other such designated person shall certify the number of ballots received. ~~Its~~This certificate shall be filed with the minutes of the board.

§ 24.2-620. Dividing ballots into packages for each precinct; delivery of absentee ballots.

The electoral board shall cause to be made, in the presence of at least one member of the board, or ~~some other~~ an employee of the board or the general or an assistant registrar designated ~~person~~ by the board, one or more packages of ballots for each precinct in the election district. Each package shall contain a number of ballots determined by the board. Each of these packages shall be securely sealed in the presence of a member of the board or such designated person so that the ballots shall be invisible, and so that the packages cannot be readily opened without detection. On each of the packages shall be endorsed the name of the precinct for which it is intended and the number of ballots therein contained. Thereafter the packages designated for each precinct shall be delivered to the secretary of the board and remain in his exclusive possession until delivered by him, or by another board member, board employee, the general or an assistant registrar designated by the board, to the officers of election of each precinct as provided in § 24.2-621.

The electoral board shall have sufficient ballots for those offering to vote absentee delivered to the general registrar and secretary of the electoral board by the deadline stated in § 24.2-612. Any such ballots remaining unused at the close of the polls on election day shall be sent by the general registrar and the secretary of the electoral board to the clerk of the circuit court of the county or city.

§ 24.2-621. Delivery of packages to officers; opening packages.

Before every election the secretary of the electoral board, or another board member, board employee, or the general or an assistant registrar designated by the board, shall deliver to an officer of election of each precinct the official ballots for that precinct and obtain a receipt for the package or packages and a certificate that the seals are unbroken. If the secretary or other such designated person is unable to deliver the official ballots, another member of the board shall deliver the ballots.

Before opening the polls, the officers of election shall open the sealed package and carefully count the ballots. If there is more than one package, additional packages shall be opened as needed and the ballots counted as provided in this section.