

VIRGINIA ACTS OF ASSEMBLY -- 1999 SESSION

CHAPTER 219

An Act to amend and reenact § 24.2-632 of the Code of Virginia, relating to voting equipment custodians.

[H 2651]

Approved March 17, 1999

Be it enacted by the General Assembly of Virginia:

1. That § 24.2-632 of the Code of Virginia is amended and reenacted as follows:

§ 24.2-632. Voting equipment custodians.

A. For the purpose of placing ballots in the frames of the voting equipment, putting voting and counting equipment in order, and setting, testing, adjusting, and delivering it, the electoral board shall employ one or more persons, to be known as custodians of voting equipment. The custodians shall be fully competent, thoroughly instructed, and sworn to perform their duties honestly and faithfully, and for such purpose shall be appointed and instructed at least thirty days before each election.

The final testing of the equipment prior to each election shall be done in the presence of an electoral board member or a representative of the electoral board. The electoral board may authorize a representative to be present at the final testing only if it is impracticable for a board member to attend, and such representative shall in no case be the custodian.

B. *Notwithstanding the provisions of subsection A, the local electoral board may assign a board member or registrar to serve as a custodian without pay for such service. The board member or registrar serving as custodian shall be fully competent, thoroughly instructed, and sworn to perform his duties honestly and faithfully, and for such purpose shall be appointed and instructed at least thirty days before each election. Whenever the presence of an electoral board member and custodian is required by the provisions of this title, the same person shall not serve in both capacities. The provisions of this subsection shall be applicable only in a county or city which uses mark sense ballots in combination with electronic counting equipment for the conduct of elections.*