

063330512

HOUSE BILL NO. 81

Offered January 11, 2006

Prefiled December 16, 2005

A BILL to amend the Code of Virginia by adding a section numbered 24.2-700.1, relating to early voting.

Patrons—Spruill, Melvin and O'Bannon

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 24.2-700.1 as follows:

§ 24.2-700.1. Early voting.

A. Any registered voter may vote early in any general, primary, or special election in which he is qualified to vote in accordance with the provisions of this section.

B. Early voting shall begin on the seventeenth day before an election and end at 5:00 p.m. on the Saturday immediately preceding the election. Early voting shall be provided during regular office hours each weekday during the applicable period, from 9:00 a.m. to 5:00 p.m. on each Saturday during the applicable period, and until 8:00 p.m. on the Monday eight days before the election and the following Tuesday, Wednesday, and Thursday. Early voting shall begin on the eighth day before a special election held on a date other than a general election day and end at 5:00 p.m. on the Saturday immediately preceding the election. Notice of the times and places for early voting shall be given in accordance with the instructions of the State Board.

C. Each electoral board shall provide a site or sites for early voting in the office of the general registrar or secretary of the electoral board, or at another location or locations in the county or city approved by the electoral board. Any such location shall be in a public building owned or leased by the city, the county, or a town within the county, with adequate facilities for the protection of all records concerning the early voting process, the early ballots, both voted and unvoted, and any voting equipment in use at the location. Such location may be in a facility owned or leased by the Commonwealth and used as a location for Department of Motor Vehicles facilities and for an office of the general registrar. The State Board shall prescribe procedures for the use of voting equipment. The procedures shall provide for early voting on voting equipment that has been certified, and is currently approved, by the State Board. The procedures shall be applicable and uniformly applied by the State Board to all jurisdictions using comparable voting equipment. At least two officers of election shall be present during all hours that early voting takes place. The officers shall represent the two major political parties except in the case of a party primary when they may represent the party conducting the primary.

D. Each registered voter shall comply with the identification requirements applicable to voting at the polls on election day and shall complete a Statement in substantially the following form:

"Statement of Early Voter."

"I do hereby state, subject to felony penalties for making false statements pursuant to § 24.2-1016, that my FULL NAME is last, first, middle); that I am now or have been at some time since last November's general election a legal resident of STATE YOUR LEGAL RESIDENCE IN VIRGINIA (including the house number, street name or rural route address, city, zip code); and that I have not voted and will not vote in this election at any other time or place. I understand that my failure to sign this statement invalidates my ballot

Signature of Voter

Date

Signature of witness "

Failure to follow the procedures set forth above shall render the applicant's ballot void.

The requirement that two officers of election shall be present during early voting shall not be applicable when the voting equipment is located in the office of the general registrar or secretary of the electoral board and the general registrar, an assistant registrar, or the secretary of the electoral board and one officer of election are present.

E. The provisions of this chapter for absentee voting in person shall not be applicable during the

58 *period for early voting, and early voting procedures shall be deemed to supersede and replace those*
59 *procedures during the early voting period.*
60 *F. The State Board shall provide instructions for the preparation, maintenance, and reporting of*
61 *pollbooks, records, and returns for early voting.*