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**SENATE BILL NO. 654**

Offered January 20, 2010

A *BILL to amend and reenact §§ 24.2-114, 24.2-407, 24.2-418, 24.2-423, 24.2-424, 24.2-506, 24.2-531, 24.2-611, 24.2-701, and 24.2-710 of the Code of Virginia and to repeal § 24.2-533 of the Code of Virginia, relating to electronic reforms; State Board of Elections.*

Patrons—Northam and Reynolds

Referred to Committee on Privileges and Elections

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 24.2-114, 24.2-407, 24.2-418, 24.2-423, 24.2-424, 24.2-506, 24.2-531, 24.2-611, 24.2-701, and 24.2-710 of the Code of Virginia are amended and reenacted as follows:**

§ 24.2-114. Duties and powers of general registrar.

In addition to the other duties required by this title, the general registrar, and the assistant registrars acting under his supervision, shall:

1. Maintain the office of the general registrar and establish and maintain additional public places for voter registration in accordance with the provisions of § 24.2-412.

2. Participate in programs to educate the general public concerning registration and encourage registration by the general public. No registrar shall actively solicit, in a selective manner, any application for registration or for a ballot or offer anything of value for any such application.

3. Perform his duties within the county or city he was appointed to serve, except that a registrar may (i) go into a county or city in the Commonwealth contiguous to his county or city to register voters of his county or city when conducting registration jointly with the registrar of the contiguous county or city or (ii) notwithstanding any other provision of law, participate in multijurisdictional staffing for voter registration offices, approved by the State Board, that are located at facilities of the Department of Motor Vehicles.

4. Provide the appropriate forms for applications to register and to obtain the information necessary to complete the applications pursuant to the provisions of the Constitution of Virginia and general law.

5. Indicate on the registration records for each accepted mail voter registration application form returned by mail pursuant to Article 3.1 (§ 24.2-416.1 et seq.) of Chapter 4 that the registrant has registered by mail. The general registrar shall fulfill this duty in accordance with the instructions of the State Board so that those persons who registered by mail are identified on the registration records, lists of registered voters furnished pursuant to § 24.2-405, lists of persons who voted furnished pursuant to § 24.2-406, and pollbooks used for the conduct of elections.

6. Accept a registration application or request for transfer or change of address submitted by or for a resident of any other county or city in the Commonwealth. Registrars shall process registration applications and requests for transfer or change of address from residents of other counties and cities in accordance with written instructions from the State Board and shall forward the completed application or request to the registrar of the applicant's residence. Notwithstanding the provisions of § 24.2-416, the registrar of the applicant's residence shall recognize as timely any application or request for transfer or change of address submitted to any person authorized to receive voter registration applications pursuant to Chapter 4 (§ 24.2-400 et seq.), prior to or on the final day of registration. The registrar of the applicant's residence shall determine the qualification of the applicant and promptly notify the applicant at the address shown on the application or request of the acceptance or denial of his registration or transfer. However, notification shall not be required when the registrar does not have an address for the applicant.

7. Preserve order at and in the vicinity of the place of registration. For this purpose, the registrar shall be vested with the powers of a conservator of the peace while engaged in the duties imposed by law. He may exclude from the place of registration persons whose presence disturbs the registration process. He may appoint special officers, not exceeding three in number, for a place of registration and may summon persons in the vicinity to assist whenever, in his judgment, it is necessary to preserve order. The general registrar and any assistant registrar shall be authorized to administer oaths for purposes of this title.

8. Maintain the official registration records for his county or city in the system approved by, and in accordance with the instructions of, the State Board; preserve the written applications of all persons who are registered; and preserve for a period of four years the written applications of all persons who are denied registration or whose registration is cancelled.

9. If a person is denied registration, promptly notify such person in writing of the denial and the

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59 reason for denial in accordance with § 24.2-422.

60 10. Verify the accuracy of the pollbooks provided for each election by the State Board, make the  
61 pollbooks available to the precincts, and according to the instructions of the State Board ~~return the~~  
62 ~~pollbooks, or transfer~~ provide a copy of the data from ~~any electronic~~ the pollbooks; to the State Board  
63 after each election for voting credit purposes.

64 11. ~~After the return of the pollbooks by the State Board, retain~~ Retain the pollbooks in his principal  
65 office for two years from the date of the election.

66 12. Maintain accurate and current registration records and comply with the requirements of this title  
67 for the transfer, inactivation, and cancellation of voter registrations.

68 13. Whenever election districts, precincts, or polling places are altered, provide for entry into the  
69 voter registration system of the proper district and precinct designations for each registered voter whose  
70 districts or precinct have changed and notify each affected voter of changes affecting his districts or  
71 polling place by mail.

72 14. Whenever any part of his county or city becomes part of another jurisdiction by annexation,  
73 merger, or other means, transfer to the appropriate general registrar the registration records of the  
74 affected registered voters. The general registrar for their new county or city shall notify them by mail of  
75 the transfer and their new election districts and polling places.

76 15. When he registers any person who was previously registered in another state, notify the  
77 appropriate authority in that state of the person's registration in Virginia.

78 16. Whenever any person is believed to be registered or voting in more than one state or territory of  
79 the United States at the same time, inquire about, or provide information from the voter's registration  
80 and voting records to any appropriate voter registration or other authority of another state or territory  
81 who inquires about, that person's registration and voting history.

82 17. At the request of the county or city chairman of any political party nominating a candidate for  
83 the General Assembly, constitutional office, or local office by a method other than a primary, review  
84 any petition required by the party in its nomination process to determine whether those signing the  
85 petition are registered voters with active status.

86 18. Carry out such other duties as prescribed by the electoral board.

87 19. Attend, or designate one member of his staff to attend, an annual training program provided by  
88 the State Board.

89 § 24.2-407. Statement for persons receiving lists of persons registered or voting; penalties.

90 Any person receiving lists pursuant to § 24.2-405 ~~or~~ §, 24.2-406, *or* 24.2-710 shall sign the following  
91 statement:

92 "I understand that the lists requested are the property of the State Board of Elections of the  
93 Commonwealth of Virginia, and I hereby state or agree, subject to felony penalties for making false  
94 statements pursuant to § 24.2-1016, that (i) I am a person authorized by § 24.2-405 ~~or~~ §, 24.2-406, *or*  
95 24.2-710 of the Code of Virginia to receive a copy of the lists described; (ii) the lists will be used only  
96 for the purposes prescribed and for no other use; and (iii) I will not permit the use or copying of the  
97 lists by persons not authorized by the Code of Virginia to obtain them.

98 Signature of Purchaser ..... "

99 § 24.2-418. Application for registration.

100 A. Each applicant to register shall provide, subject to felony penalties for making false statements  
101 pursuant to § 24.2-1016, the information necessary to complete the application to register. Unless  
102 physically disabled, he shall sign the application. The application to register shall be only on a form or  
103 forms prescribed by the State Board.

104 The form of the application to register shall require the applicant to provide the following  
105 information: full name; gender; date of birth; social security number, if any; whether the applicant is  
106 presently a United States citizen; address of residence in the precinct; place of last previous registration  
107 to vote; and whether the applicant has ever been adjudicated incapacitated or convicted of a felony, and  
108 if so, under what circumstances the applicant's right to vote has been restored. The form shall contain a  
109 statement that whoever votes more than once in any election in the same or different jurisdictions shall  
110 be guilty of a Class 6 felony.

111 B. The form shall permit any individual, as follows, or member of his household, to furnish, in  
112 addition to his residence street address, a post office box address located within the Commonwealth to  
113 be included in lieu of his street address on the lists of registered voters and persons who voted, which  
114 are furnished pursuant to §§ 24.2-405 and 24.2-406, ~~or~~ on voter registration records made available for  
115 public inspection pursuant to § 24.2-444, *or on lists of absentee voter applicants furnished pursuant to*  
116 *§ 24.2-710*. The voter shall comply with the provisions of § 24.2-424 for any change in the post office  
117 box address provided under this subsection.

118 1. Any active or retired law-enforcement officer, as defined in § 9.1-101 and in 5 U.S.C. § 8331(20),  
119 but excluding officers whose duties relate to detention as defined in 5 U.S.C. § 8331(20);

120 2. Any party granted a protective order issued by or under the authority of any court of competent

jurisdiction, including but not limited to courts of the Commonwealth of Virginia;

3. Any party who has furnished a signed written statement by the party that he is in fear for his personal safety from another person who has threatened or stalked him, accompanied by evidence that he has filed a complaint with a magistrate or law-enforcement official against such other person; and

4. Any party participating in the address confidentiality program pursuant to § 2.2-515.2.

§ 24.2-423. Notice of change of name of registered voter.

Whenever a registered voter changes his legal name, either by marriage, divorce, order of court, or otherwise, the voter shall promptly notify the general registrar of the jurisdiction where he is registered. Such notice may be made in writing or on a form approved by the State Board of Elections, which may be electronic. The notice in writing may be provided by mail or by facsimile and shall be signed by the voter unless he is physically unable to sign, in which case his own mark acknowledged by a witness shall be sufficient signature. The State Board is ~~authorized to conduct a pilot program, under which shall establish a system to accept~~ electronic notice of a change of a registered voter's address, which may be provided by electronic mail or such other electronic means as may be permitted by the State Board and signed by the voter in a manner consistent with the Uniform Electronic Transactions Act (§ 59.1-479 et seq.). The general registrar shall enter the new name on the registration records and issue the voter a new voter registration card.

§ 24.2-424. Change of registered voter's address within the Commonwealth; pilot project.

A. Whenever a registered voter changes his place of residence within the Commonwealth, he shall promptly notify any general registrar of the address of his new residence. Such notice may be made in person, in writing, by return of the voter registration card noting the new address, or on a form approved by the State Board of Elections, which may be electronic. The notice in writing may be provided by mail or by facsimile and shall be signed by the voter unless he is physically unable to sign, in which case his own mark acknowledged by a witness shall be sufficient signature. The State Board is ~~authorized to conduct a pilot program, under which shall establish a system to accept~~ electronic notice of a change of a registered voter's address, which may be provided by electronic mail or such other electronic means as may be permitted by the State Board and signed by the voter in a manner consistent with the Uniform Electronic Transactions Act (§ 59.1-479 et seq.). The fact that a voter provides an address on a candidate or referendum petition that differs from the address for the voter on the voter registration system shall not be deemed sufficient notice, in and of itself, to change the voter's registration address. Any statements made by any voter applying for transfer are subject to felony penalties for making a false statement pursuant to § 24.2-1016.

B. If the voter has moved within the same county or city, on receipt of the notification, the general registrar for that county or city shall (i) enter the new address on the registration record; (ii) if satisfied that the registered voter has moved into another precinct within the same county or city, transfer the registration of the voter to that precinct; and (iii) issue the voter a new voter registration card. This transfer may be entered in the registration records at any time the registration records are not closed pursuant to § 24.2-416.

C. Any request for transfer or change of address within the Commonwealth delivered to any registrar shall be forwarded to the general registrar for the city or county in the Commonwealth where the voter now resides. When forwarding said notice, or upon request from the registrar for the county or city where the voter now resides, the registrar for the county or city where the voter formerly resided shall forward the original application for registration to the registrar for the voter's new locality.

D. Upon receipt of the voter's original registration application, and notice as specified in subsection A of this section indicating the voter's current residence, the registrar for the county or city in which the voter currently resides shall: (i) enter the new address on the registration record; (ii) if satisfied that the registered voter has moved into a precinct within that county or city, transfer the registration of the voter to that precinct; (iii) issue the voter a new voter registration card; and (iv) through the Virginia voter registration system, notify the registrar of the locality where the voter formerly resided that the registration has been transferred. This transfer may be entered in the registration records at any time the registration records are not closed pursuant to § 24.2-416.

E. If the original registration application is no longer available to the registrar in the city or county where the voter formerly resided, either of the following shall be sent to and accepted by the registrar in the city or county where the voter now resides in lieu of such application: (i) an unsigned voter card (or "conversion card") used as the voter record upon the creation of the statewide voter registration system or (ii) a replacement record provided by the State Board to replace damaged files in the registrar's office. If no other record is available, then the registrar of the voter's former locality shall provide written notification to the registrar of the locality in which the voter now resides that none of the required documents are available. In this instance only, the registrar of the locality in which the voter now resides shall copy the voter's record from the Virginia voter registration system and use that record in lieu of the original voter registration application. Any complete voter registration application on a

182 form previously authorized for use in Virginia shall be valid for the purposes of continuing or  
183 transferring a voter's registration within the Commonwealth.

184 § 24.2-506. Petition of qualified voters required; number of signatures required; certain towns  
185 excepted.

186 A. The name of any candidate for any office, other than a party nominee, shall not be printed upon  
187 any official ballots provided for the election unless he shall file along with his declaration of candidacy  
188 a petition therefor, on a form prescribed by the State Board, signed by the number of qualified voters  
189 specified below after January 1 of the year in which the election is held and listing the residence  
190 address of each such voter. Each signature on the petition shall have been witnessed by a person who is  
191 himself a qualified voter, or qualified to register to vote, for the office for which he is circulating the  
192 petition and whose affidavit to that effect appears on each page of the petition.

193 Each voter signing the petition shall provide on the petition his social security number, if any;  
194 however, noncompliance with this requirement shall not be cause to invalidate the voter's signature on  
195 the petition.

196 The minimum number of signatures of qualified voters required for candidate petitions shall be as  
197 follows:

198 1. For a candidate for the United States Senate, Governor, Lieutenant Governor, or Attorney General,  
199 10,000 signatures, including the signatures of at least 400 qualified voters from each congressional  
200 district in the Commonwealth;

201 2. For a candidate for the United States House of Representatives, 1,000 signatures;

202 3. For a candidate for the Senate of Virginia, 250 signatures;

203 4. For a candidate for the House of Delegates or for a constitutional office, 125 signatures;

204 5. For a candidate for membership on the governing body or elected school board of any county or  
205 city, 125 signatures; or if from an election district not at large containing 1,000 or fewer registered  
206 voters, 50 signatures;

207 6. For a candidate for membership on the governing body or elected school board of any town which  
208 has more than 1,500 registered voters, 125 signatures; or if from a ward or other district not at large, 25  
209 signatures;

210 7. For membership on the governing body or elected school board of any town which has 1,500 or  
211 fewer registered voters, no petition shall be required;

212 8. For a candidate for director of a soil and water conservation district created pursuant to Article 3  
213 (§ 10.1-506 et seq.) of Chapter 5 of Title 10.1, 25 signatures; and

214 9. For any other candidate, 50 signatures.

215 B. *The State Board is authorized to conduct a pilot program for any candidate who chooses to*  
216 *participate, under which some or all of the signatures required by this section may be provided by*  
217 *electronic mail or other electronic means as may be permitted by the State Board and signed in a*  
218 *manner consistent with the Uniform Electronic Transactions Act (§ 59.1-479 et seq.).*

219 § 24.2-531. Pollbooks and ballot containers.

220 There shall be pollbooks in the form set forth in § 24.2-611 and a separate ballot container provided  
221 for each party taking part in any primary. The ballot container for each party shall have plainly marked  
222 upon its top the words "Primary Ballot Container" and the name of the party. ~~The officers of election~~  
223 ~~shall enter on the cover of the pollbook, if not entered previously, the name of the party whose voters~~  
224 ~~are recorded therein.~~

225 § 24.2-611. Form and signing of pollbooks; records of persons voting; electronic pollbooks.

226 A. The following oath shall be on a form prescribed by the State Board, administered to all officers  
227 of election, and kept by the officers of election with the pollbook:

228 "I do solemnly swear (or affirm) that I will perform the duties for this election according to law and  
229 the best of my ability, and that I will studiously endeavor to prevent fraud, deceit, and abuse in  
230 conducting this election."

231 The oath shall be administered to each officer of election by the general registrar, a member of the  
232 electoral board, or an officer of election designated by the general registrar and secretary of the electoral  
233 board, who shall be so identified on the form. The oath shall be signed by each officer of election and  
234 the person administering the oath. The pollbook shall be marked to identify the election for which it is  
235 used.

236 B. The State Board shall provide the pollbook pursuant to subdivision A 7 of § 24.2-404. The  
237 pollbook shall (i) provide a space for the officer of election to record the name and consecutive number  
238 of the voter at the time he offers to vote and (ii) be retained in accordance with the provisions  
239 governing pollbooks in this title. ~~If the pollbook is provided in printed form, the~~ The State Board shall  
240 ~~provide make available~~ a numerical check sheet ~~required~~ to be used ~~with pollbooks in printed form~~ to  
241 determine the consecutive number to be recorded with the name of the voter by the officer of election.  
242 ~~If the pollbook is provided in electronic form~~ *In electronic pollbooks*, the consecutive number shall be  
243 entered automatically when the officer of election records that the voter has voted. When the name and

number of the last qualified voter have been entered on the pollbook, the officer of election responsible for that pollbook shall sign a statement on the check sheet, or on a separate form if an electronic pollbook is used, certifying the number of qualified registrants who have voted. The State Board shall provide instructions to the local electoral boards, general registrars, and officers of election for the conduct of the election and for procedures for entering a voting record for each voter and recording each voter's name, including voters unable to enter the polling place, and for verifying the accurate entry of the voting record for each registrant on the Virginia Voter Registration System. *Notwithstanding any other provision of this title, for any election held on or after July 1, 2011, all pollbooks provided by the State Board shall be in electronic form only.*

C. The State Board shall incorporate safeguards to assure that the records of the election, including the pollbook, voter count sheets, or other alternative records, will provide promptly an accurate and secure record of those who have voted. ~~The State Board may provide for the pollbook to be in a paper format or in an electronic format if funds are appropriated to cover the costs associated with the provision of a pollbook in an electronic format.~~ The State Board shall be authorized to conduct pilot programs in one or more localities, with the consent of the electoral board of the locality, to test the use of an electronic pollbook in one or more precincts, notwithstanding any other provision of law to the contrary.

D. Any locality may ~~expend its own funds to purchase the hardware and software necessary to utilize the~~ electronic pollbooks that have been approved for use in elections by the State Board.

§ 24.2-701. Application for absentee ballot.

A. The State Board shall furnish each general registrar with a sufficient number of applications for official absentee ballots. The registrars shall furnish applications to persons requesting them.

The State Board shall implement a system that enables eligible persons to request and receive an absentee ballot application ~~electronically through the Internet and to submit a completed absentee ballot application by electronic mail or such other electronic means as may be permitted by the State Board.~~ Electronic absentee ballot applications shall be in a form approved by the State Board and signed by the voter in a manner consistent with the Uniform Electronic Transactions Act (§ 59.1-479 et seq.). *Such a system shall be used for all applications for absentee ballots permitted under this chapter except those cases in which a voter is required to apply for an absentee ballot or vote absentee in person.*

Except as provided in § 24.2-703, a separate application shall be completed for each election in which the applicant offers to vote. An application for an absentee ballot may be accepted the later of (i) 12 months before an election, or (ii) the day following any election held in the twelfth month prior to the election in which the applicant is applying to vote.

Any application received before the ballots are printed shall be held and processed as soon as the printed ballots for the election are available.

For the purposes of this chapter, the general registrar's office shall be open a minimum of eight hours between the hours of 8:00 a.m. and 5:00 p.m. on the first and second Saturday immediately preceding all general elections, except May general elections held in towns, and on the Saturday immediately preceding any primary election, May general election held in a town, or special election.

Unless the applicant is disabled, all applications for absentee ballots shall be signed by the applicant who shall state, subject to felony penalties for making false statements pursuant to § 24.2-1016, that to the best of his knowledge and belief the facts contained in the application are true and correct and that he has not and will not vote in the election at any other place in Virginia or in any other state. If the applicant is unable to sign the application, a person assisting the applicant will note this fact on the applicant signature line and provide his signature, name, and address.

B. Applications for absentee ballots shall be completed in the following manner:

1. An application completed in person shall be made not less than three days prior to the election in which the applicant offers to vote and completed only in the office of the general registrar. The applicant shall sign the application in the presence of a registrar or a member of the electoral board. The applicant shall provide one of the forms of identification specified in subsection B of § 24.2-643, or if he is unable to present one of the forms of identification listed in that section, he shall sign a statement, subject to felony penalties for making false statements pursuant to § 24.2-1016, that he is the named registered voter who he claims to be. An applicant who requires assistance in voting by reason of disability or inability to read or write may request assistance pursuant to § 24.2-649 and be assisted in preparation of this statement in accordance with that section. The provisions of § 24.2-649 regarding persons who are unable to sign shall be followed when assisting an applicant in completing this statement.

For federal elections held after January 1, 2004, this paragraph shall apply in the case of any voter who is required by subparagraph (b) of 42 U.S.C.S. § 15483 of the Help America Vote Act of 2002 to show identification the first time that voter votes in a federal election in the state. After completing an application for an absentee ballot in person, such voter shall present: (i) a current and valid photo

305 identification; or (ii) a copy of a current utility bill, bank statement, government check, paycheck or  
306 other document that shows the name and address of the voter. Such individual who desires to vote in  
307 person but who does not show one of the forms of identification specified in this paragraph shall be  
308 offered a provisional ballot under the provisions of § 24.2-653. Neither the identification requirements of  
309 subsection B of § 24.2-643, nor the identification requirements of subsection A of § 24.2-653, shall  
310 apply to such voter at that election. The State Board of Elections shall provide instructions to the  
311 electoral boards for the handling and counting of such provisional ballots pursuant to subsection B of  
312 § 24.2-653 and this section.

313 2. Any other application may be made by mail, electronic or telephonic transmission to a facsimile  
314 device if one is available to the office of the general registrar or the office of the State Board if a  
315 device is not available locally, or other means. The application shall be on a form furnished by the  
316 registrar or, if made under subdivision 2 of § 24.2-700, may be on a Federal Post Card Application  
317 prescribed pursuant to 42 U.S.C. § 1973ff (b) (2). The Federal Post Card Application may be accepted  
318 the later of (i) 12 months before an election, or (ii) the day following any election held in the twelfth  
319 month prior to the election in which the applicant is applying to vote. The application shall be made to  
320 the appropriate registrar no later than 5:00 p.m. on the seventh day prior to the election in which the  
321 applicant offers to vote.

322 C. Applications for absentee ballots shall contain the following information:

323 1. The applicant's printed name, the last four digits of the applicant's social security number, and the  
324 reason the applicant will be absent or cannot vote at his polling place on the day of the election;

325 2. A statement that he is registered in the county or city in which he offers to vote and his residence  
326 address in such county or city. Any person temporarily residing outside the United States shall provide  
327 the last date of residency at his Virginia residence address, if that residence is no longer available to  
328 him. Any person who makes application under subdivision 2 of § 24.2-700 who is not a registered voter  
329 may file the applications to register and for a ballot simultaneously;

330 3. The complete address to which the ballot is to be sent directly to the applicant, unless the  
331 application is made in person at a time when the printed ballots for the election are available and the  
332 applicant chooses to vote in person at the time of completing his application. The address given shall be  
333 (i) the address of the applicant on file in the registration records; (ii) the address at which he will be  
334 located while absent from his county or city; or (iii) the address at which he will be located while  
335 temporarily confined due to a disability or illness. No ballot shall be sent to, or in care of, any other  
336 person; and

337 4. In the case of a person, or the spouse or dependent of a person, who is on active service as a  
338 member of the armed forces of the United States or a member of the merchant marine of the United  
339 States, the branch of service to which he or the spouse belongs, and his or the spouse's rank, grade, or  
340 rate, and service identification number; or

341 5. In the case of a student, or the spouse of a student, who is attending a school or institution of  
342 learning, the name and address of the school or institution of learning; or

343 6. In the case of any duly registered person with a disability, as defined in § 24.2-101, who is unable  
344 to go in person to the polls on the day of the election because of his disability, illness, or pregnancy,  
345 the nature of the disability, illness, or pregnancy; or

346 7. In the case of a person who is confined awaiting trial or for having been convicted of a  
347 misdemeanor, the name and address of the institution of confinement; or

348 8. In the case of a person who will be absent on election day for business reasons, the name of his  
349 employer or business; or

350 9. In the case of a person who will be absent on election day for personal business or vacation  
351 reasons, the name of the county or city in Virginia or the state or country to which he is traveling; or

352 10. In the case of a person who is unable to go to the polls on the day of election because he is  
353 primarily and personally responsible for the care of an ill or disabled family member who is confined at  
354 home, the name of the family member and the nature of his illness or disability; or

355 11. In the case of a person who is unable to go to the polls on the day of election because of an  
356 obligation occasioned by his religion, his religion and the nature of the obligation; or

357 12. In the case of a person who, in the regular and orderly course of his business, profession, or  
358 occupation, will be at his place of work and commuting to and from his home to his place of work for  
359 11 or more hours of the 13 hours that the polls are open pursuant to § 24.2-603, the name of his  
360 business or employer, address of his place of work, and hours he will be at the workplace and  
361 commuting on election day; or

362 13. In the case of a law-enforcement officer, as defined in § 18.2-51.1; firefighter, as defined in  
363 § 65.2-102; volunteer firefighter, as defined in § 27-42; search and rescue personnel, as defined in  
364 § 18.2-51.1; or emergency medical services personnel, as defined in § 32.1-111.1, that he is a first  
365 responder.

366 § 24.2-710. Further duties of electoral board and general registrar; absentee voter applicant lists.

On receipt of an absentee ballot, the electoral board or general registrar shall mark the date of receipt in the appropriate column opposite the name and address of the voter on the absentee voter applicant list maintained in the general registrar's office. A board member or registrar shall deposit the return envelope and the unopened ballot envelope in an appropriate container provided for the purpose, in which they shall remain until the day of the election.

On the day before the election, the general registrar shall (i) make out in triplicate on a form prescribed by the State Board the absentee voter applicant list containing the names of all persons who applied for an absentee ballot through the third day before the election and (ii) by noon on the day before the election, deliver two copies of the list to the electoral board. The general registrar shall make out a supplementary list containing the names of all persons voting absentee in person pursuant to §§ 24.2-705.1 and 24.2-705.2, or applying to vote absentee pursuant to § 24.2-705, for delivery by 5:00 p.m. on the day before the election. The supplementary list shall be deemed part of the absentee voter applicant list and shall be prepared and delivered in accordance with the instructions of the State Board. The general registrar shall maintain one copy of the list in his office for two years as a public record open for inspection upon request during regular office hours.

On the day before the election, the electoral board shall deliver one copy of the list provided to it by the general registrar to the chief officer of election for each precinct. The list shall be attested by the secretary of the electoral board who shall be responsible for the delivery of the attested lists to the chief officer of election for each precinct.

Absentee ballots shall be accepted only from voters whose names appear on the attested list.

Before the polls close on the day of the election, the electoral board shall deliver the absentee ballot containers to, and obtain a receipt from, the officers of election at each appropriate precinct. Any ballot returned to the electoral board or general registrar prior to the closing of the polls, but after the ballot container has been delivered, shall be delivered in an appropriate container to the officers of election at each appropriate precinct. The containers shall be sealed prior to delivery to the officers and shall contain the sealed absentee ballots, the accompanying return envelopes, and a copy of the absentee voter applicant list for each precinct.

If the county or city uses a central absentee voter precinct pursuant to § 24.2-712, the lists and containers shall be delivered, as provided in this section, to the officers of election for the absentee precinct.

Before noon on the day following the election, the general registrar shall deliver all applications for absentee ballots for the election, under seal, to the clerk of the circuit court for the county or city. The clerk shall retain the sealed applications with the counted ballots.

The secretary of the electoral board shall deliver all absentee ballots received after the election to the clerk of the circuit court.

*The State Board may furnish to candidates or political party chairmen, and to no one else, on request and at a reasonable price, the absentee voter applicant list for their districts. Such lists shall be used only for campaign and political purposes. In no event shall any list furnished under this section contain (i) any voter's social security number, or any part thereof, (ii) any voter's day and month of birth, or (iii) the residence address of any voter who has provided a post office box address to be used on public lists pursuant to § 24.2-418.*

**2. That the provisions of §§ 24.2-114 and 24.2-611 of the Code of Virginia shall become effective on July 1, 2011.**

**3. That § 24.2-533 of the Code of Virginia is repealed.**