

VIRGINIA ACTS OF ASSEMBLY -- 2013 SESSION

CHAPTER 469

An Act to amend and reenact § 24.2-663 of the Code of Virginia, relating to when ballot void; handling overvoted ballots.

[S 1027]

Approved March 16, 2013

Be it enacted by the General Assembly of Virginia:

1. That § 24.2-663 of the Code of Virginia is amended and reenacted as follows:

§ 24.2-663. When ballot void.

If a *paper ballot or a ballot that is inserted into an electronic counting device* is found to have been voted for a greater number of names for any one office than the number of persons required to fill the office, or if the title of the office is erased, the ballot shall be considered void as to all the names designated to fill such office, but no further, *and the ballot shall be counted for the other offices on the ballot. In the case of an electronic counting device, an election official is authorized to cause the counting device to receive the ballot and count it in accordance with this section.* No ballot shall be void for having been voted for fewer names than authorized.

If any person votes, either in person or absentee, more than one time in an election, all ballots received from such person shall be void and, if possible, not counted. If one such ballot has already been cast, any additional ballots received from such person shall be void and not counted.