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HOUSE BILL NO. 1379

Offered January 22, 2016

A BILL to amend and reenact § 24.2-404.4 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 24.2-427.1, relating to voter registration; cancellation of registrations for persons identified through list comparisons and data matching exchanges with other states.

Patrons—LeMunyon, Hugo and Morris

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:

1. That § 24.2-404.4 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 24.2-427.1 as follows:

§ 24.2-404.4. Exchange of registered voter lists with other states.

A. Pursuant to its authority under subsection A of § 24.2-405 and subsections B and C of § 24.2-406, the Department of Elections shall request voter registration information and lists of persons voting at primaries and elections, if available, from the states bordering the Commonwealth to identify duplicate registrations, voters who no longer reside in the Commonwealth, and other persons who are no longer entitled to be registered in order to maintain the overall accuracy of the voter registration system.

B. Pursuant to its authority under subdivision 10 of § 24.2-404, the Department of Elections shall utilize data regarding voter registration and lists of persons voting at primaries and elections received through list comparisons *and data matching exchanges* with other states to identify duplicate registrations, voters who no longer reside in the Commonwealth, and other persons who are no longer entitled to be registered in order to maintain the overall accuracy of the voter registration system.

C. The Department shall compare the data received pursuant to subsections A and B with the state voter registration list and initiate list maintenance procedures under applicable state and federal law. The Department shall report to the House and Senate Committees on Privileges and Elections annually on the progress of activities conducted under this section, including the number of duplicate registrations found to exist and the procedures that the Department and general registrars are following to eliminate duplicate registrations from the Virginia registered voter lists. All annual reports required to be filed by the Department shall be governed by the provisions of § 2.2-608.

§ 24.2-427.1. Cancellation of registration for persons identified through list comparisons and data matching exchanges with other states.

A. The Department of Elections shall compare the data received pursuant to § 24.2-404.4 with the state voter registration list and identify voters who are found to be registered in another state. If a registered voter is identified as having a registration record in another state, the Department shall send to the voter's address within the Commonwealth, by forwardable mail, (i) notice that a registration record for the voter exists in another state and (ii) a postage prepaid, pre-addressed return card. The notice shall include the state of and the address associated with the registration record and shall direct the voter to use the postage prepaid, pre-addressed return card to verify or dispute the out-of-state registration record.

B. Upon receipt of a return card verifying the out-of-state registration record, the Department of Elections shall transfer the return card to the appropriate general registrar, who shall cancel the voter's registration record in accordance with the provisions of subsection B of § 24.2-427. Upon receipt of a return card disputing the out-of-state registration record, the Department shall notify the appropriate authority in that state, which may include providing a copy of the return card disputing the record.

C. If the Department of Elections does not receive a return card within 30 days after it is sent to the voter, the Department shall notify the appropriate general registrar. The registrar shall cancel the voter's registration record within 15 days of receipt of the notice from the Department.

INTRODUCED

HB1379