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SENATE BILL NO. 844

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Privileges and Elections
on January 31, 2017)

(Patrons Prior to Substitute—Senators Howell, Dance [SB 979], Ebbin [SB 1002], and Vogel [SB 1295])

A *BILL to amend and reenact §§ 24.2-612, 24.2-700, 24.2-701, 24.2-706, and 24.2-707 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 24.2-701.1, relating to absentee voting; no-excuse, in-person available 21 days prior to elections.*

Be it enacted by the General Assembly of Virginia:

1. That §§ 24.2-612, 24.2-700, 24.2-701, 24.2-706, and 24.2-707 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 24.2-701.1 as follows:

§ 24.2-612. List of offices and candidates filed with Department of Elections and checked for accuracy; when ballots printed; number required.

Immediately after the expiration of the time provided by law for a candidate for any office to qualify to have his name printed on the official ballot and prior to printing the ballots for an election, each general registrar shall forward to the Department of Elections a list of the county, city, or town offices to be filled at the election and the names of all candidates who have filed for each office. In addition, each general registrar shall forward the name of any candidate who failed to qualify with the reason for his disqualification. On that same day, the general registrar shall also provide a copy of the notice to each disqualified candidate. The notice shall be sent by email or regular mail to the address on the candidate's certificate of candidate qualification, and such notice shall be deemed sufficient. The Department of Elections shall promptly advise the general registrar of the accuracy of the list. The failure of any general registrar to send the list to the Department of Elections for verification shall not invalidate any election.

Each general registrar shall have printed the number of ballots he determines will be sufficient to conduct the election. Such determination shall be subject to the approval by the electoral board.

Notwithstanding any other provisions of this title, the Department of Elections may print or otherwise provide one statewide paper ballot style for each paper ballot style in use for presidential and vice-presidential electors for use only by persons eligible to vote for those offices only under § 24.2-402 or only for federal elections under § 24.2-453. The Department of Elections may apportion or authorize the printer or vendor to apportion the costs for these ballots among the localities based on the number of ballots ordered. Any printer employed by the Department of Elections shall execute the statement required by § 24.2-616. The Department of Elections shall designate a representative to be present at the printing of such ballots and deliver them to the appropriate general registrars pursuant to § 24.2-617. Upon receipt of such paper ballots, the electoral board or the general registrar shall affix the seal of the electoral board. Thereafter, such ballots shall be handled and accounted for, and the votes counted as the Department of Elections shall specifically direct.

The general registrar shall make printed ballots available for absentee voting *by mail* not later than 45 days prior to any election or within three business days of the receipt of a properly completed absentee ballot application, whichever is later. *The general registrar shall make printed ballots available for absentee voting in person not later than 21 days prior to any election.* In the case of a special election, excluding for federal offices, if time is insufficient to meet the applicable deadline established herein, then the general registrar shall make printed ballots available as soon after the deadline as possible. For the purposes of this chapter, making printed ballots available includes mailing of such ballots or electronic transmission of such ballots pursuant to § 24.2-706 to a qualified absentee voter who is eligible for an absentee ballot under subdivision 2 of § 24.2-700. Not later than five days after absentee ballots are made available, each general registrar shall report to the Department of Elections, in writing on a form approved by the Department of Elections, whether he has complied with the applicable deadline.

Only the names of candidates for offices to be voted on in a particular election district shall be printed on the ballots for that election district.

The general registrar shall send to the Department of Elections a statement of the number of ballots ordered to be printed, proofs of each printed ballot for verification, and copies of each final ballot. If the Department of Elections finds that, in its opinion, the number of ballots ordered to be printed by any general registrar is not sufficient, it may direct the general registrar to order the printing of a reasonable number of additional ballots.

§ 24.2-700. Persons entitled to vote by mailed absentee ballot.

The following registered voters may vote by absentee ballot *by mail* in accordance with the

60 provisions of this chapter in any election in which they are qualified to vote:

61 1. Any person who, in the regular and orderly course of his business, profession, or occupation or
62 while on personal business or vacation, will be absent from the county or city in which he is entitled to
63 vote;

64 2. Any person who is (i) a member of a uniformed service, as defined in § 24.2-452, on active duty,
65 (ii) temporarily residing outside of the United States, or (iii) the spouse or dependent residing with any
66 person listed in clause (i) or (ii), and who will be absent on the day of the election from the county or
67 city in which he is entitled to vote;

68 3. Any student attending a school or institution of learning, or his spouse, who will be absent on the
69 day of election from the county or city in which he is entitled to vote;

70 4. Any duly registered person with a disability, as defined in § 24.2-101, who is unable to go in
71 person to the polls on the day of election because of his disability, illness, or pregnancy;

72 5. Any person who is confined while awaiting trial or for having been convicted of a misdemeanor,
73 provided that the trial or release date is scheduled on or after the third day preceding the election. Any
74 person who is awaiting trial and is a resident of the county or city where he is confined shall, on his
75 request, be taken to the polls to vote on election day if his trial date is postponed and he did not have
76 an opportunity to vote absentee;

77 6. Any person who is a member of an electoral board, registrar, officer of election, or custodian of
78 voting equipment;

79 7. Any duly registered person who is unable to go in person to the polls on the day of the election
80 because he is primarily and personally responsible for the care of an ill or disabled family member who
81 is confined at home;

82 8. Any duly registered person who is unable to go in person to the polls on the day of the election
83 because of an obligation occasioned by his religion;

84 9. Any person who, in the regular and orderly course of his business, profession, or occupation, will
85 be at his place of work and commuting to and from his home to his place of work for 11 or more hours
86 of the 13 hours that the polls are open pursuant to § 24.2-603;

87 10. Any person who is a law-enforcement officer, as defined in § 18.2-51.1; firefighter, as defined in
88 § 65.2-102; volunteer firefighter, as defined in § 27-42; search and rescue personnel, as defined in
89 § 18.2-51.1; or emergency medical services personnel, as defined in § 32.1-111.1; or

90 11. Any person who has been designated by a political party, independent candidate, or candidate in
91 a primary election to be a representative of the party or candidate inside a polling place on the day of
92 the election pursuant to subsection C of § 24.2-604 and § 24.2-639.

93 **§ 24.2-701. Application for mailed absentee ballot.**

94 A. The ~~State Board~~ *Department of Elections* shall furnish each general registrar with a sufficient
95 number of applications for official absentee ballots. The registrars shall furnish applications to persons
96 requesting them.

97 The ~~State Board~~ *Department of Elections* shall implement a system that enables eligible persons to
98 request and receive an absentee ballot application electronically through the Internet. Electronic absentee
99 ballot applications shall be in a form approved by the State Board.

100 Except as provided in § 24.2-703, a separate application shall be completed for each election in
101 which the applicant offers to vote. An application for an absentee ballot may be accepted the later of (i)
102 12 months before an election or (ii) the day following any election held in the twelfth month prior to
103 the election in which the applicant is applying to vote.

104 ~~An application that is completed in person at the same time that the applicant registers to vote shall
105 be held and processed no sooner than the fifth day after the date that the applicant registered to vote;
106 however, this requirement shall not be applicable to any person who is qualified to vote absentee under
107 subdivision 2 of § 24.2-700.~~

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

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

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

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

121 ~~1. An application completed in person shall be made not less than three days prior to the election in~~

122 which the applicant offers to vote and completed only in the office of the general registrar. The
123 applicant shall sign the application in the presence of a registrar. The applicant shall provide one of the
124 forms of identification specified in subsection B of § 24.2-643. Any applicant who does not show one of the
125 forms of identification specified in subsection B of § 24.2-643 shall be offered a provisional ballot
126 under the provisions of § 24.2-653. The State Board of Elections shall provide instructions to the general
127 registrar for the handling and counting of such provisional ballots pursuant to subsection B of
128 § 24.2-653 and this section.

129 2. Any other An application for a mailed absentee ballot may be made by mail, electronic or
130 telephonic transmission to a facsimile device if one is available to the office of the general registrar or
131 the office of the State Board Department of Elections if a device is not available locally, or other
132 means. The application shall be on a form furnished by the registrar or, if made under subdivision 2 of
133 § 24.2-700, may be on a federal postcard application prescribed pursuant to 52 U.S.C. § 20301(b)(2).
134 The federal postcard application may be accepted the later of (i) 12 months before an election or (ii) the
135 day following any election held in the twelfth month prior to the election in which the applicant is
136 applying to vote. The application shall be made to the appropriate registrar no later than 5:00 p.m. on
137 the seventh day prior to the election in which the applicant offers to vote.

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

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

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

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

153 4. In the case of a person, or the spouse or dependent of a person, who is on active duty as a
154 member of the uniformed services as defined in § 24.2-452, the branch of service to which he or the
155 spouse belongs; or

156 5. In the case of a student, or the spouse of a student, who is attending a school or institution of
157 learning, the name of the school or institution of learning; or

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

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

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

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

167 10. In the case of a person who is unable to go to the polls on the day of election because he is
168 primarily and personally responsible for the care of an ill or disabled family member who is confined at
169 home, his relationship to the family member; or

170 11. In the case of a person who is unable to go to the polls on the day of election because of an
171 obligation occasioned by his religion, that he has an obligation occasioned by his religion; or

172 12. In the case of a person who, in the regular and orderly course of his business, profession, or
173 occupation, will be at his place of work and commuting to and from his home to his place of work for
174 11 or more hours of the 13 hours that the polls are open pursuant to § 24.2-603, the name of his
175 business or employer and hours he will be at the workplace and commuting on election day; or

176 13. In the case of a law-enforcement officer, as defined in § 18.2-51.1; firefighter, as defined in
177 § 65.2-102; volunteer firefighter, as defined in § 27-42; search and rescue personnel, as defined in
178 § 18.2-51.1; or emergency medical services personnel, as defined in § 32.1-111.1, that he is a first
179 responder; or

180 14. In the case of a person who has been designated by a political party, independent candidate, or
181 candidate in a primary election to be a representative of the party or candidate inside a polling place on
182 the day of the election pursuant to subsection C of § 24.2-604 and § 24.2-639, the fact that he is so

183 designated.

184 **§ 24.2-701.1. Absentee voting in person.**

185 A. Any registered voter may vote by absentee ballot in person in accordance with the provisions of
186 this section in any election in which he is qualified to vote without providing a reason or making prior
187 application for an absentee ballot. A registered voter voting by absentee ballot in person shall provide
188 one of the forms of identification specified in subsection B of § 24.2-643. If he does not show one of the
189 forms of identification specified in subsection B of § 24.2-643, he shall be offered a provisional ballot
190 under the provisions of § 24.2-653. The Department shall provide information to the electoral boards on
191 the handling and counting of such provisional ballots pursuant to subsection B of § 24.2-653 and this
192 section.

193 B. Absentee voting in person shall be available on the twenty-first day prior to any election and
194 shall continue until 5:00 p.m. on the Saturday immediately preceding the election. Absentee voting in
195 person shall be available during regular business hours. The electoral boards shall provide for absentee
196 voting in person in the office of the general registrar or the secretary of the electoral board. For
197 purposes of this chapter, such office shall be open a minimum of eight hours between the hours of 8:00
198 a.m. and 5 p.m. on the first and second Saturday immediately preceding a November general election
199 and on the Saturday immediately preceding any primary election, May general election, or special
200 election. At least two officers of election shall be present during all hours that absentee voting in person
201 is available and shall represent the two major political parties, except in the case of a party primary,
202 when they may represent the party conducting the primary.

203 C. Additional locations in the county or city approved by the electoral boards may be available for
204 absentee voting in person. Any such location shall be in a public building owned or leased by the
205 county, city, or town within the county and may be in a facility that is owned or leased by the
206 Commonwealth and used as a location for Department of Motor Vehicles facilities or as an office of the
207 general registrar. Any such location shall have adequate facilities for the protection of all records
208 concerning the process of absentee voting in person, the voted and unvoted absentee ballots, and any
209 voting systems in use at the location.

210 D. Absentee ballots cast in person may be cast on voting systems. The Department shall prescribe
211 the procedures for use of voting systems. The procedures shall provide for absentee voting in person on
212 voting systems that have been certified and are currently approved by the State Board. The procedures
213 shall be applicable and uniformly applied by the Department to all localities using comparable voting
214 systems. The requirement that two officers of election be present during the hours that absentee voting
215 in person is available shall be not applicable when (i) the voting systems being used are located in the
216 office of the general registrar or the secretary of the electoral board and (ii) an officer of election and
217 the general registrar, an assistant registrar, or the secretary of the electoral board are present.

218 E. The Department shall include absentee ballots voted in person in its instructions for the
219 preparation, maintenance, and reporting of ballots, pollbooks, records, and returns.

220 **§ 24.2-706. Duty of general registrar on receipt of application; statement of voter.**

221 On receipt of an application for an absentee ballot or when processing a voter pursuant to
222 § 24.2-701.1, the general registrar shall enroll the name and address of each registered applicant on an
223 absentee voter applicant list that shall be maintained in the office of the general registrar with a file of
224 the applications of the listed applicants received. The list shall be available for inspection and copying
225 and the applications for mailed ballots shall be available for inspection only by any registered voter
226 during regular office hours. Upon request and for a reasonable fee, the Department of Elections shall
227 provide an electronic copy of the absentee voter applicant list to any political party or candidate. Such
228 list shall be used only for campaign and political purposes. Any list made available for inspection and
229 copying under this section shall contain the post office box address in lieu of the residence street
230 address for any individual who has furnished at the time of registration or subsequently, in addition to
231 his street address, a post office box address pursuant to subsection B of § 24.2-418.

232 No list or application containing an individual's social security number, or any part thereof, or the
233 individual's day and month of birth, shall be made available for inspection or copying by anyone. The
234 Department of Elections shall prescribe procedures for general registrars to make the information in the
235 lists and applications available in a manner that does not reveal social security numbers or parts thereof,
236 or an individual's day and month of birth.

237 The completion and timely delivery of an application for ~~an~~ a mailed absentee ballot shall be
238 construed to be an offer by the applicant to vote in the election.

239 The general registrar shall note on each application received whether the applicant is or is not a
240 registered voter. In reviewing the application for ~~an~~ a mailed absentee ballot, the general registrar shall
241 not reject the application of any individual because of an error or omission on any record or paper
242 relating to the application, if such error or omission is not material in determining whether such
243 individual is qualified to vote absentee.

244 If the application has been properly completed and signed and the applicant is a registered voter of

245 the precinct in which he offers to vote, the general registrar shall, at the time when the printed ballots
246 for the election are available, send by the deadline set out in § 24.2-612, obtaining a certificate or other
247 evidence of either first-class or expedited mailing or delivery from the United States Postal Service or
248 other commercial delivery provider, or deliver to him in person in the office of the registrar, the
249 following items and nothing else:

250 1. An envelope containing the folded ballot, sealed and marked "Ballot within. Do not open except
251 in presence of a witness."

252 2. An envelope, with printing only on the flap side, for resealing the marked ballot, on which
253 envelope is printed the following:

254 "Statement of Voter."

255 "I do hereby state, subject to felony penalties for making false statements pursuant to § 24.2-1016,
256 that my FULL NAME is _____ (last, first, middle); that I am now or have been at some time
257 since last November's general election a legal resident of _____ (STATE YOUR LEGAL
258 RESIDENCE IN VIRGINIA including the house number, street name or rural route address, city, zip
259 code); that I received the enclosed ballot(s) upon application to the registrar of such county or city; that
260 I opened the envelope marked 'ballot within' and marked the ballot(s) in the presence of the witness,
261 without assistance or knowledge on the part of anyone as to the manner in which I marked it (or I am
262 returning the form required to report how I was assisted); that I then sealed the ballot(s) in this
263 envelope; and that I have not voted and will not vote in this election at any other time or place.

264 Signature of Voter _____

265 Date _____

266 Signature of witness _____"

267 For elections held after January 1, 2004, instead of the envelope containing the above oath, an
268 envelope containing the standard oath prescribed by the presidential designee under § 101(b)(7) of the
269 Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. § 20301 et seq.) shall be sent to
270 voters who are qualified to vote absentee under that Act.

271 3. A properly addressed envelope for the return of the ballot to the general registrar by mail or by
272 the applicant in person.

273 4. Printed instructions for completing the ballot and statement on the envelope and returning the
274 ballot.

275 For federal elections held after January 1, 2004, for any voter who is required by subparagraph (b) of
276 52 U.S.C. § 21083 of the Help America Vote Act of 2002 to show identification the first time the voter
277 votes in a federal election in the state, the printed instructions shall direct the voter to submit with his
278 ballot (i) a copy of a current and valid photo identification or (ii) a copy of a current utility bill, bank
279 statement, government check, paycheck or other government document that shows the name and address
280 of the voter. Such individual who desires to vote by mail but who does not submit one of the forms of
281 identification specified in this paragraph may cast such ballot by mail and the ballot shall be counted as
282 a provisional ballot under the provisions of § 24.2-653. The Department of Elections shall provide
283 instructions to the electoral boards for the handling and counting of such provisional ballots pursuant to
284 subsection B of § 24.2-653 and this section.

285 5. For any voter entitled to vote absentee under the Uniformed and Overseas Citizens Absentee
286 Voting Act (52 U.S.C. § 20301 et seq.), information provided by the Department of Elections specific to
287 the voting rights and responsibilities for such citizens, or information provided by the registrar specific
288 to the status of the voter registration and absentee ballot application of such voter, may be included.

289 The envelopes and instructions shall be in the form prescribed by the Department of Elections.

290 If the applicant makes his application to vote in person under § 24.2-701 at a time when the printed
291 ballots for the election are available, the general registrar, on the determination of the qualifications of
292 the applicant to vote, shall provide to the applicant the items set forth in subdivisions 1 through 4, and
293 no item shall be removed by the applicant from the office of the general registrar. On the request of the
294 applicant, made no later than 5:00 p.m. on the seventh day prior to the election in which the applicant
295 offers to vote, the general registrar may send the items set forth in subdivisions 1 through 4 to the
296 applicant by mail, obtaining a certificate or other evidence of mailing.

297 If the applicant states as the reason for his absence on election day any of the reasons set forth in
298 subdivision 2 of § 24.2-700, the general registrar, at the time when the printed ballots for the election
299 are available, shall mail by the deadline set forth in § 24.2-612 or deliver in person to the applicant in
300 the office of the general registrar the items as set forth in subdivisions 1 through 4 and, if necessary, an
301 application for registration. A certificate or other evidence of mailing shall not be required. If the
302 applicant requests that such items be sent by electronic transmission, the general registrar, at the time
303 when the printed ballots for the election are available but not later than the deadline set forth in
304 § 24.2-612, shall send by electronic transmission the blank ballot, the form for the envelope for
305 returning the marked ballot, and instructions to the voter. Such materials shall be sent using the official

306 email address or fax number of the office of the general registrar published on the Department of
307 Elections website. The State Board of Elections may prescribe by regulation the format of the email
308 address used for transmitting ballots to eligible voters. A general registrar may also use electronic
309 transmission facilities provided by the Federal Voting Assistance Program. The voted ballot shall be
310 returned to the general registrar as otherwise required by this chapter.

311 When the statement prescribed in subdivision 2 has been properly completed and signed by the
312 registered voter and witnessed, his ballot shall not be subject to challenge pursuant to § 24.2-651.

313 The circuit courts shall have jurisdiction to issue an injunction to enforce the provisions of this
314 section upon the application of (i) any aggrieved voter, (ii) any candidate in an election district in whole
315 or in part in the court's jurisdiction where a violation of this section has occurred, or is likely to occur,
316 or (iii) the campaign committee or the appropriate district political party chairman of such candidate.
317 Any person who fails to discharge his duty as provided in this section through willful neglect of duty
318 and with malicious intent shall be guilty of a Class 1 misdemeanor as provided in subsection A of
319 § 24.2-1001.

320 **§ 24.2-707. How ballots marked and returned by mail.**

321 On receipt of a mailed absentee ballot, the voter shall, in the presence of a witness, (i) open the
322 sealed envelope marked "ballot within" and (ii) mark and refold the ballot, as provided in §§ 24.2-644
323 and 24.2-646 without assistance and without making known how he marked the ballot, except as
324 provided by § 24.2-704.

325 After the voter has marked his absentee ballot, he shall (a) enclose the ballot in the envelope
326 provided for that purpose, (b) seal the envelope, (c) fill in and sign the statement printed on the back of
327 the envelope in the presence of a witness, who shall sign the same envelope, (d) enclose the ballot
328 envelope and any required assistance form within the envelope directed to the general registrar, and (e)
329 seal that envelope and mail it to the office of the general registrar or deliver it personally to the general
330 registrar. A voter's failure to provide in the statement on the back of the envelope his full middle name
331 or his middle initial shall not be a material omission, rendering his ballot void, unless the voter failed to
332 provide in the statement on the back of the envelope his full first and last name. A voter's failure to
333 provide the date, or any part of the date, including the year, on which he signed the statement printed
334 on the back of the envelope shall not be considered a material omission and shall not render his ballot
335 void. For purposes of this chapter, "mail" shall include delivery by a commercial delivery service, but
336 shall not include delivery by a personal courier service or another individual except as provided by
337 §§ 24.2-703.2 and 24.2-705.

338 An applicant who makes his application to vote in person at a time when the printed ballots for the
339 election are available shall follow the same procedure set forth above except that he may complete the
340 procedure in person in the office of the general registrar, or at another location or locations in the
341 county or city approved by the electoral board, before a registrar, or, if a ballot is cast at that time,
342 before the officers of election appointed by the electoral board. Any such location shall be in a public
343 building owned or leased by the city, the county, or a town within the county, with adequate facilities
344 for the protection of all records concerning the absentee voters, the absentee ballots, both voted and
345 unvoted, and any voting equipment in use at the location. Such location may be in a facility owned or
346 leased by the Commonwealth and used as a location for Department of Motor Vehicles facilities and for
347 an office of the general registrar. Such location shall be deemed the equivalent of the office of the
348 general registrar for the purpose of completing the application for an absentee ballot in person pursuant
349 to §§ ~~24.2-701~~ and ~~24.2-706~~. On the request of the applicant, made no later than 5:00 p.m. on the
350 seventh day prior to the election in which the applicant offers to vote, the general registrar may send the
351 items set forth in subdivisions ~~1~~ through 4 of § ~~24.2-706~~ to the applicant by mail, obtaining a certificate
352 or other evidence of mailing.

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

354 The general registrar of any county or city using a central absentee voting precinct may provide for
355 the casting of absentee ballots on voting equipment prior to election day by applicants who are voting in
356 person. The Department of Elections shall prescribe procedures for the use of voting equipment. The
357 procedures shall provide for the casting of absentee ballots prior to election day by in-person applicants
358 on voting equipment which has been certified, and is currently approved, by the Department of
359 Elections. The procedures shall be applicable and uniformly applied by the Department of Elections to
360 all jurisdictions using comparable voting equipment. At least two officers of election, one representing
361 each political party, shall be present during all hours that absentee voting is available at any location at
362 which absentee ballots are cast prior to election day.

363 The requirement that officers of election shall be present if ballots are cast on voting equipment prior
364 to election day shall not be applicable when the voting equipment is located in the office of the general
365 registrar and the general registrar or an assistant registrar is present.