

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact §§ 24.2-408 and 24.2-427 of the Code of Virginia, relating to voter*  
 3 *registration; list maintenance; lists of decedents transmitted by State Registrar of Vital Records.*

4 [H 55]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That §§ 24.2-408 and 24.2-427 of the Code of Virginia are amended and reenacted as follows:**8 **§ 24.2-408. State Registrar of Vital Records to transmit weekly lists of decedents to Department**  
 9 **of Elections.**

10 The State Registrar of Vital Records shall transmit to the Department of Elections by electronic  
 11 means a ~~monthly~~ weekly list of all persons of the age of ~~seventeen~~ 17 years of age or more older who  
 12 shall have died in the Commonwealth subsequent to its previous ~~monthly~~ weekly list. The lists shall be  
 13 in a format specified by the Department and shall contain the deceased's name; address; county, city, or  
 14 town of residence; social security number, if any; and date and place of his birth and of his death. The  
 15 Department shall maintain a permanent record of the information in the lists as part of the voter  
 16 registration system. ~~The, and the~~ general registrars shall have access to use the information in the lists to  
 17 carry out their duties pursuant to § 24.2-427. Information in the lists shall be confidential and consistent  
 18 with the requirements of § 32.1-271.

19 **§ 24.2-427. Cancellation of registration by voter or for persons known to be deceased or**  
 20 **disqualified to vote.**

21 A. Any registered voter may cancel his registration and have his name removed from the central  
 22 registration records by signing an authorization for cancellation and mailing or otherwise submitting the  
 23 signed authorization to the general registrar. When submitted by any means other than when notarized or  
 24 in person, such cancellation must be made at least 22 days prior to an election in order to be valid in  
 25 that election. The general registrar shall acknowledge receipt of the authorization and advise the voter in  
 26 person or by first-class mail that his registration has been canceled within 10 days of receipt of such  
 27 authorization.

28 B. The general registrar shall promptly cancel the registration of (i) all persons known by him to be  
 29 deceased ~~or~~; (ii) all persons known by him to be disqualified to vote by reason of a felony conviction or  
 30 adjudication of incapacity; ~~(ii)~~ (iii) all persons known by him not to be United States citizens by reason  
 31 of reports from the Department of Motor Vehicles pursuant to § 24.2-410.1 or from the Department of  
 32 Elections based on information received from the Systematic Alien Verification for Entitlements  
 33 Program (SAVE Program) pursuant to subsection E of § 24.2-404 and in accordance with the  
 34 requirements of subsection B1; ~~(iii)~~ (iv) all persons for whom a notice has been received, signed by the  
 35 voter, or from the registration official of another jurisdiction that the voter has moved from the  
 36 Commonwealth; and ~~(iv)~~ (v) all persons for whom a notice has been received, signed by the voter, or  
 37 from the registration official of another jurisdiction that the voter has registered to vote outside the  
 38 Commonwealth, subsequent to his registration in Virginia. The notice received in clauses ~~(iii)~~ (iv) and  
 39 ~~(iv)~~ (v) shall be considered as a written request from the voter to have his registration cancelled. A  
 40 voter's registration may be cancelled at any time during the year in which the general registrar discovers  
 41 that the person is no longer entitled to be registered. The general registrar shall mail notice of any  
 42 cancellation to the person whose registration is cancelled.

43 B1. The general registrar shall mail notice promptly to all persons known by him not to be United  
 44 States citizens by reason of a report from the Department of Motor Vehicles pursuant to § 24.2-410.1 or  
 45 from the Department of Elections based on information received from the Systematic Alien Verification  
 46 for Entitlements Program (SAVE Program) pursuant to subsection E of § 24.2-404 prior to cancelling  
 47 their registrations. The notice shall inform the person of the report from the Department of Motor  
 48 Vehicles or from the Department of Elections and allow the person to submit his sworn statement that  
 49 he is a United States citizen within 14 days of the date that the notice was mailed. The general registrar  
 50 shall cancel the registrations of such persons who do not respond within 14 days to the notice that they  
 51 have been reported not to be United States citizens.

52 B2. The general registrar shall (i) process the Department's most recent list of persons convicted of  
 53 felonies within 21 to 14 days before any primary or general election, (ii) cancel the registration of any  
 54 registered voter shown to have been convicted of a felony who has not provided evidence that his right  
 55 to vote has been restored, and (iii) send prompt notice to the person of the cancellation of his  
 56 registration. If it appears that any registered voter has made a false statement on his registration

57 application with respect to his having been convicted of a felony, the general registrar shall report the  
58 fact to the attorney for the Commonwealth for prosecution under § 24.2-1016 for a false statement made  
59 on his registration application.

60 C. The general registrar may cancel the registration of any person for whom a notice has been  
61 submitted to the Department of Motor Vehicles in accordance with the Driver License Compact set out  
62 in Article 18 (§ 46.2-483 et seq.) of Chapter 3 of Title 46.2 and forwarded to the general registrar, that  
63 the voter has moved from the Commonwealth; provided that the registrar shall mail notice of such  
64 cancellation to the person at both his new address, as reported to the Department of Motor Vehicles, and  
65 the address at which he had most recently been registered in Virginia. No general registrar may cancel  
66 registrations under this authority while the registration records are closed pursuant to § 24.2-416. No  
67 registrar may cancel the registration under this authority of any person entitled to register under the  
68 provisions of subsection A of § 24.2-420.1, and shall reinstate the registration of any otherwise qualified  
69 voter covered by subsection A of § 24.2-420.1 who applies to vote within four years of the date of  
70 cancellation.