

VIRGINIA ACTS OF ASSEMBLY -- 2023 SESSION

CHAPTER 219

An Act to amend and reenact § 24.2-802 of the Code of Virginia, relating to recount elections; recount standards; elections for offices to which more than one candidate can be elected.

[H 2324]

Approved March 22, 2023

Be it enacted by the General Assembly of Virginia:

1. That § 24.2-802 of the Code of Virginia is amended and reenacted as follows:

§ 24.2-802. Recount standards.

A. The State Board of Elections shall promulgate standards for (i) the proper handling and security of voting systems, ballots, and other materials required for a recount, (ii) accurate counting of votes based upon objective evidence and taking into account the voting system and form of ballots approved for use in the Commonwealth, and (iii) any other matters that will promote a timely and accurate resolution of the recount.

B. The State Board shall promulgate additional standards and instructions for the conduct of simultaneous recounts of two or more elections in a single election district.

C. The State Board shall promulgate additional standards and instructions for the conduct of recounts in elections for any office to which more than one candidate can be elected. Such standards and instructions shall include which candidates apparently nominated or elected are required to be named in the petition for a recount or served a copy of the petition for a recount.

D. The chief judge of the circuit court or the full recount court may, consistent with State Board of Elections standards, resolve disputes over the application of the standards and direct all other appropriate measures to ensure the proper conduct of the recount.