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**HOUSE BILL NO. 1023**

Offered January 10, 2024

Prefiled January 10, 2024

*A BILL to amend and reenact §§ 24.2-701.1 and 24.2-707.1 of the Code of Virginia, relating to polling places; prohibited activities or conduct; application to locations for absentee voting in person.*

Patron—Wilt

Referred to Committee on Privileges and Elections

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 24.2-701.1 and 24.2-707.1 of the Code of Virginia are amended and reenacted as follows:**

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

A. Absentee voting in person shall be available on the forty-fifth day prior to any election and shall continue until 5:00 p.m. on the Saturday immediately preceding the election. In the case of a special election, excluding for federal offices, if time is insufficient between the issuance of the writ calling for the special election and the date of the special election, absentee voting in person shall be available as soon as possible after the issuance of the writ.

Any registered voter offering to vote absentee in person shall provide his name and his residence address in the county or city in which he is offering to vote. After verifying that the voter is a registered voter of that county or city, the general registrar shall enroll the voter's name and address on the absentee voter applicant list maintained pursuant to § 24.2-706.

Except as provided in subsection F, a registered voter voting by absentee ballot in person shall provide one of the forms of identification specified in subsection B of § 24.2-643. If he does not show one of the forms of identification specified in subsection B of § 24.2-643, he shall be allowed to vote after signing a statement, subject to felony penalties for false statements pursuant to § 24.2-1016, that he is the named registered voter he claims to be. A voter who requires assistance in voting by reason of a physical disability or an inability to read or write, and who requests assistance pursuant to § 24.2-649, may be assisted in preparation of this statement in accordance with that section. The provisions of § 24.2-649 regarding voters who are unable to sign shall be followed when assisting a voter in completing this statement. A voter who does not show one of the forms of identification specified in this subsection or does not sign this statement shall be offered a provisional ballot under the provisions of § 24.2-653. The State Board shall provide instructions to the general registrar for the handling and counting of such provisional ballots pursuant to § 24.2-653.01 and this section.

B. Absentee voting in person shall be available during regular business hours. The electoral board of each county and city shall provide for absentee voting in person in the office of the general registrar or a voter satellite office established pursuant to § 24.2-701.2. *The provisions of §§ 24.2-604, 24.2-604.4, 24.2-605, 24.2-606, and 24.2-607 prohibiting certain conduct or activities in and around a polling place shall apply to such offices whenever absentee voting in person is available.*

For purposes of this chapter, such offices shall be open to the public a minimum of eight hours between the hours of 8:00 a.m. and 5:00 p.m. on the first and second Saturday immediately preceding all elections. The electoral board or general registrar may provide for absentee voting in person in such offices on Sundays. Any applicant who is in line to cast his ballot when the office of the general registrar or voter satellite office closes shall be permitted to cast his absentee ballot that day.

C. The general registrar may provide for the casting of absentee ballots in person pursuant to this section on voting systems. The Department shall prescribe the procedures for use of voting systems. The procedures shall provide for absentee voting in person on voting systems that have been certified and are currently approved by the State Board. The procedures shall be applicable and uniformly applied by the Department to all localities using comparable voting systems.

D. At least two officers of election shall be present during all hours that absentee voting in person is available and shall represent the two major political parties, except in the case of a party primary, when they may represent the party conducting the primary. However, such requirement shall not apply when (i) voting systems that are being used pursuant to subsection C are located in the office of the general registrar or voter satellite office and (ii) the general registrar or a deputy registrar is present.

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

F. This subsection shall apply in the case of any individual who is required by subparagraph (b) of 52 U.S.C. § 21083 of the Help America Vote Act of 2002 to show identification the first time he votes

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59 in a federal election in the state. At such election, such individual shall present (i) a current and valid  
60 photo identification or (ii) a copy of a current utility bill, bank statement, government check, paycheck,  
61 or other government document that shows the name and address of the voter. Such individual who  
62 desires to vote in person but who does not show one of the forms of identification specified in this  
63 subsection shall be offered a provisional ballot under the provisions of § 24.2-653. The identification  
64 requirements of subsection B of § 24.2-643 and subsection A of § 24.2-653 shall not apply to such  
65 voter at such election. The Department of Elections shall provide instructions to the electoral boards for  
66 the handling and counting of such provisional ballots pursuant to § 24.2-653.01 and this section.

67 **§ 24.2-707.1. Drop-off locations for return of absentee ballots.**

68 A. The general registrar of each county or city shall establish at the office of the general registrar  
69 and each voter satellite office in operation for an election a drop-off location for the purpose of allowing  
70 the deposit of completed absentee ballots for such election. On the day of the election, there shall also  
71 be a drop-off location at each polling place in operation for the election. The general registrar may  
72 establish additional drop-off locations within the county or city as he deems necessary. All drop-off  
73 locations shall be accessible; be on public property, unless located at a polling place; and otherwise  
74 comply with any criteria for drop-off locations set by the Department. *The provisions of §§ 24.2-604,*  
75 *24.2-604.4, 24.2-605, and 24.2-607 prohibiting certain conduct or activities in and around a polling*  
76 *place shall apply to drop-off locations.*

77 B. The Department shall set standards for the establishment and operation of drop-off locations,  
78 including necessary security requirements. The Department shall submit such standards annually by  
79 October 1 to the Chairmen of the House and Senate Committees on Privileges and Elections, the Senate  
80 Committee on Finance and Appropriations, and the House Committee on Appropriations.

81 C. Not later than 55 days prior to any election, the general registrar shall post notice of the sites of  
82 the drop-off locations in the locality in the office of the general registrar and on the official website of  
83 the county or city. Such notice shall remain in the office of the general registrar and on the official  
84 website of the county or city for the duration of the period during which absentee ballots may be  
85 returned.

86 D. Absentee ballots shall be collected from drop-off locations in accordance with the instructions  
87 provided by the Department. Such instructions shall include chain of custody requirements and  
88 recordkeeping requirements. Absentee ballots shall be collected at least daily by (i) two officers of  
89 election or electoral board members representing the two major political parties where practicable or (ii)  
90 two employees from the office of the general registrar, unless the drop-off location is in the office of the  
91 general registrar, in which case the general registrar or a deputy general registrar may collect the  
92 absentee ballots.