

24101216D

HOUSE BILL NO. 904

Offered January 10, 2024

Prefiled January 9, 2024

A *BILL to amend and reenact §§ 2.2-3711, as it is currently effective and as it may become effective, 24.2-401, 24.2-404, 24.2-408, 24.2-409, 24.2-410, 24.2-410.1, 24.2-427, 24.2-435, 24.2-444, and 24.2-703.1 of the Code of Virginia; to amend the Code of Virginia by adding a section numbered 24.2-407.2, by adding in Chapter 4 of Title 24.2 an article numbered 2.1 and by adding in such article sections numbered 24.2-407.3 and 24.2-410.3 through 24.2-410.6, and by adding a section numbered 24.2-426.1; and to repeal §§ 24.2-404.3, 24.2-404.4, 24.2-410.2, 24.2-428, 24.2-428.1, and 24.2-428.2 of the Code of Virginia, relating to voter registration; list maintenance activities; cancellation procedures; required record matches; required identification information; data standards.*

Patrons—Price, Clark and Glass

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-3711, as it is currently effective and as it may become effective, 24.2-401, 24.2-404, 24.2-408, 24.2-409, 24.2-410, 24.2-410.1, 24.2-427, 24.2-435, 24.2-444, and 24.2-703.1 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 24.2-407.2, by adding in Chapter 4 of Title 24.2 an article numbered 2.1 and by adding in such article sections numbered 24.2-407.3 and 24.2-410.3 through 24.2-410.6, and by adding a section numbered 24.2-426.1, as follows:

§ 2.2-3711. (Effective until date pursuant to Acts 2023, cc. 756 and 778, cl. 5) Closed meetings authorized for certain limited purposes.

A. Public bodies may hold closed meetings only for the following purposes:

1. Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals. Any teacher shall be permitted to be present during a closed meeting in which there is a discussion or consideration of a disciplinary matter that involves the teacher and some student and the student involved in the matter is present, provided the teacher makes a written request to be present to the presiding officer of the appropriate board. Nothing in this subdivision, however, shall be construed to authorize a closed meeting by a local governing body or an elected school board to discuss compensation matters that affect the membership of such body or board collectively.

2. Discussion or consideration of admission or disciplinary matters or any other matters that would involve the disclosure of information contained in a scholastic record concerning any student of any public institution of higher education in the Commonwealth or any state school system. However, any such student, legal counsel and, if the student is a minor, the student's parents or legal guardians shall be permitted to be present during the taking of testimony or presentation of evidence at a closed meeting, if such student, parents, or guardians so request in writing and such request is submitted to the presiding officer of the appropriate board.

3. Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

4. The protection of the privacy of individuals in personal matters not related to public business.

5. Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

6. Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected.

7. Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal

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59 counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in
60 this subdivision shall be construed to permit the closure of a meeting merely because an attorney
61 representing the public body is in attendance or is consulted on a matter.

62 8. Consultation with legal counsel employed or retained by a public body regarding specific legal
63 matters requiring the provision of legal advice by such counsel. Nothing in this subdivision shall be
64 construed to permit the closure of a meeting merely because an attorney representing the public body is
65 in attendance or is consulted on a matter.

66 9. Discussion or consideration by governing boards of public institutions of higher education of
67 matters relating to gifts, bequests and fund-raising activities, and of grants and contracts for services or
68 work to be performed by such institution. However, the terms and conditions of any such gifts, bequests,
69 grants, and contracts made by a foreign government, a foreign legal entity, or a foreign person and
70 accepted by a public institution of higher education in the Commonwealth shall be subject to public
71 disclosure upon written request to the appropriate board of visitors. For the purpose of this subdivision,
72 (i) "foreign government" means any government other than the United States government or the
73 government of a state or a political subdivision thereof, (ii) "foreign legal entity" means any legal entity
74 (a) created under the laws of the United States or of any state thereof if a majority of the ownership of
75 the stock of such legal entity is owned by foreign governments or foreign persons or if a majority of the
76 membership of any such entity is composed of foreign persons or foreign legal entities or (b) created
77 under the laws of a foreign government, and (iii) "foreign person" means any individual who is not a
78 citizen or national of the United States or a trust territory or protectorate thereof.

79 10. Discussion or consideration by the boards of trustees of the Virginia Museum of Fine Arts, the
80 Virginia Museum of Natural History, the Jamestown-Yorktown Foundation, the Fort Monroe Authority,
81 and The Science Museum of Virginia of matters relating to specific gifts, bequests, and grants from
82 private sources.

83 11. Discussion or consideration of honorary degrees or special awards.

84 12. Discussion or consideration of tests, examinations, or other information used, administered, or
85 prepared by a public body and subject to the exclusion in subdivision 4 of § 2.2-3705.1.

86 13. Discussion, consideration, or review by the appropriate House or Senate committees of possible
87 disciplinary action against a member arising out of the possible inadequacy of the disclosure statement
88 filed by the member, provided the member may request in writing that the committee meeting not be
89 conducted in a closed meeting.

90 14. Discussion of strategy with respect to the negotiation of a hazardous waste siting agreement or to
91 consider the terms, conditions, and provisions of a hazardous waste siting agreement if the governing
92 body in open meeting finds that an open meeting will have an adverse effect upon the negotiating
93 position of the governing body or the establishment of the terms, conditions and provisions of the siting
94 agreement, or both. All discussions with the applicant or its representatives may be conducted in a
95 closed meeting.

96 15. Discussion by the Governor and any economic advisory board reviewing forecasts of economic
97 activity and estimating general and nongeneral fund revenues.

98 16. Discussion or consideration of medical and mental health records subject to the exclusion in
99 subdivision 1 of § 2.2-3705.5.

100 17. Deliberations of the Virginia Lottery Board in a licensing appeal action conducted pursuant to
101 subsection D of § 58.1-4007 regarding the denial or revocation of a license of a lottery sales agent; and
102 discussion, consideration or review of Virginia Lottery matters related to proprietary lottery game
103 information and studies or investigations excluded from disclosure under subdivision 6 of § 2.2-3705.3
104 and subdivision 11 of § 2.2-3705.7.

105 18. Those portions of meetings in which the State Board of Local and Regional Jails discusses or
106 discloses the identity of, or information tending to identify, any prisoner who (i) provides information
107 about crimes or criminal activities, (ii) renders assistance in preventing the escape of another prisoner or
108 in the apprehension of an escaped prisoner, or (iii) voluntarily or at the instance of a prison official
109 renders other extraordinary services, the disclosure of which is likely to jeopardize the prisoner's life or
110 safety.

111 19. Discussion of plans to protect public safety as it relates to terrorist activity or specific
112 cybersecurity threats or vulnerabilities and briefings by staff members, legal counsel, or law-enforcement
113 or emergency service officials concerning actions taken to respond to such matters or a related threat to
114 public safety; discussion of information subject to the exclusion in subdivision 2 or 14 of § 2.2-3705.2,
115 where discussion in an open meeting would jeopardize the safety of any person or the security of any
116 facility, building, structure, information technology system, or software program; or discussion of reports
117 or plans related to the security of any governmental facility, building or structure, or the safety of
118 persons using such facility, building or structure.

119 20. Discussion by the Board of the Virginia Retirement System, acting pursuant to § 51.1-124.30, or
120 of any local retirement system, acting pursuant to § 51.1-803, or by a local finance board or board of

trustees of a trust established by one or more local public bodies to invest funds for postemployment benefits other than pensions, acting pursuant to Article 8 (§ 15.2-1544 et seq.) of Chapter 15 of Title 15.2, or by the board of visitors of the University of Virginia, acting pursuant to § 23.1-2210, or by the Board of the Virginia College Savings Plan, acting pursuant to § 23.1-706, regarding the acquisition, holding or disposition of a security or other ownership interest in an entity, where such security or ownership interest is not traded on a governmentally regulated securities exchange, to the extent that such discussion (i) concerns confidential analyses prepared for the board of visitors of the University of Virginia, prepared by the retirement system, or a local finance board or board of trustees, or the Virginia College Savings Plan or provided to the retirement system, a local finance board or board of trustees, or the Virginia College Savings Plan under a promise of confidentiality, of the future value of such ownership interest or the future financial performance of the entity, and (ii) would have an adverse effect on the value of the investment to be acquired, held, or disposed of by the retirement system, a local finance board or board of trustees, the board of visitors of the University of Virginia, or the Virginia College Savings Plan. Nothing in this subdivision shall be construed to prevent the disclosure of information relating to the identity of any investment held, the amount invested or the present value of such investment.

21. Those portions of meetings in which individual child death cases are discussed by the State Child Fatality Review Team established pursuant to § 32.1-283.1, those portions of meetings in which individual child death cases are discussed by a regional or local child fatality review team established pursuant to § 32.1-283.2, those portions of meetings in which individual death cases are discussed by family violence fatality review teams established pursuant to § 32.1-283.3, those portions of meetings in which individual adult death cases are discussed by the state Adult Fatality Review Team established pursuant to § 32.1-283.5, those portions of meetings in which individual adult death cases are discussed by a local or regional adult fatality review team established pursuant to § 32.1-283.6, those portions of meetings in which individual death cases are discussed by overdose fatality review teams established pursuant to § 32.1-283.7, those portions of meetings in which individual maternal death cases are discussed by the Maternal Mortality Review Team pursuant to § 32.1-283.8, and those portions of meetings in which individual death cases of persons with developmental disabilities are discussed by the Developmental Disabilities Mortality Review Committee established pursuant to § 37.2-314.1.

22. Those portions of meetings of the board of visitors of the University of Virginia or the Eastern Virginia Medical School Board of Visitors, as the case may be, and those portions of meetings of any persons to whom management responsibilities for the University of Virginia Medical Center or Eastern Virginia Medical School, as the case may be, have been delegated, in which there is discussed proprietary, business-related information pertaining to the operations of the University of Virginia Medical Center or Eastern Virginia Medical School, as the case may be, including business development or marketing strategies and activities with existing or future joint venturers, partners, or other parties with whom the University of Virginia Medical Center or Eastern Virginia Medical School, as the case may be, has formed, or forms, any arrangement for the delivery of health care, if disclosure of such information would adversely affect the competitive position of the Medical Center or Eastern Virginia Medical School, as the case may be.

23. Discussion or consideration by the Virginia Commonwealth University Health System Authority or the board of visitors of Virginia Commonwealth University of any of the following: the acquisition or disposition by the Authority of real property, equipment, or technology software or hardware and related goods or services, where disclosure would adversely affect the bargaining position or negotiating strategy of the Authority; matters relating to gifts or bequests to, and fund-raising activities of, the Authority; grants and contracts for services or work to be performed by the Authority; marketing or operational strategies plans of the Authority where disclosure of such strategies or plans would adversely affect the competitive position of the Authority; and members of the Authority's medical and teaching staffs and qualifications for appointments thereto.

24. Those portions of the meetings of the Health Practitioners' Monitoring Program Committee within the Department of Health Professions to the extent such discussions identify any practitioner who may be, or who actually is, impaired pursuant to Chapter 25.1 (§ 54.1-2515 et seq.) of Title 54.1.

25. Meetings or portions of meetings of the Board of the Virginia College Savings Plan wherein personal information, as defined in § 2.2-3801, which has been provided to the Board or its employees by or on behalf of individuals who have requested information about, applied for, or entered into prepaid tuition contracts or savings trust account agreements pursuant to Chapter 7 (§ 23.1-700 et seq.) of Title 23.1 is discussed.

26. Discussion or consideration, by the former Wireless Carrier E-911 Cost Recovery Subcommittee created pursuant to former § 56-484.15, of trade secrets submitted by CMRS providers, as defined in § 56-484.12, related to the provision of wireless E-911 service.

27. Those portions of disciplinary proceedings by any regulatory board within the Department of

Professional and Occupational Regulation, Department of Health Professions, or the Board of Accountancy conducted pursuant to § 2.2-4019 or 2.2-4020 during which the board deliberates to reach a decision or meetings of health regulatory boards or conference committees of such boards to consider settlement proposals in pending disciplinary actions or modifications to previously issued board orders as requested by either of the parties.

28. Discussion or consideration of information subject to the exclusion in subdivision 11 of § 2.2-3705.6 by a responsible public entity or an affected locality or public entity, as those terms are defined in § 33.2-1800, or any independent review panel appointed to review information and advise the responsible public entity concerning such records.

29. Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body.

30. Discussion or consideration of grant or loan application information subject to the exclusion in subdivision 17 of § 2.2-3705.6 by the Commonwealth Health Research Board.

31. Discussion or consideration by the Commitment Review Committee of information subject to the exclusion in subdivision 5 of § 2.2-3705.2 relating to individuals subject to commitment as sexually violent predators under Chapter 9 (§ 37.2-900 et seq.) of Title 37.2.

32. Discussion or consideration of confidential proprietary information and trade secrets developed and held by a local public body providing certain telecommunication services or cable television services and subject to the exclusion in subdivision 18 of § 2.2-3705.6. However, the exemption provided by this subdivision shall not apply to any authority created pursuant to the BVU Authority Act (§ 15.2-7200 et seq.).

33. Discussion or consideration by a local authority created in accordance with the Virginia Wireless Service Authorities Act (§ 15.2-5431.1 et seq.) of confidential proprietary information and trade secrets subject to the exclusion in subdivision 19 of § 2.2-3705.6.

34. Discussion or consideration by the State Board of Elections or local electoral boards of voting security matters made confidential pursuant to § 24.2-410.2 24.2-407.2 or 24.2-625.1.

35. Discussion or consideration by the Forensic Science Board or the Scientific Advisory Committee created pursuant to Article 2 (§ 9.1-1109 et seq.) of Chapter 11 of Title 9.1 of criminal investigative files.

36. Discussion or consideration by the Brown v. Board of Education Scholarship Committee of information or confidential matters subject to the exclusion in subdivision A 3 of § 2.2-3705.4, and meetings of the Committee to deliberate concerning the annual maximum scholarship award, review and consider scholarship applications and requests for scholarship award renewal, and cancel, rescind, or recover scholarship awards.

37. Discussion or consideration by the Virginia Port Authority of information subject to the exclusion in subdivision 1 of § 2.2-3705.6 related to certain proprietary information gathered by or for the Virginia Port Authority.

38. Discussion or consideration by the Board of Trustees of the Virginia Retirement System acting pursuant to § 51.1-124.30, by the Investment Advisory Committee appointed pursuant to § 51.1-124.26, by any local retirement system, acting pursuant to § 51.1-803, by the Board of the Virginia College Savings Plan acting pursuant to § 23.1-706, or by the Virginia College Savings Plan's Investment Advisory Committee appointed pursuant to § 23.1-702 of information subject to the exclusion in subdivision 24 of § 2.2-3705.7.

39. Discussion or consideration of information subject to the exclusion in subdivision 3 of § 2.2-3705.6 related to economic development.

40. Discussion or consideration by the Board of Education of information relating to the denial, suspension, or revocation of teacher licenses subject to the exclusion in subdivision 11 of § 2.2-3705.3.

41. Those portions of meetings of the Virginia Military Advisory Council or any commission created by executive order for the purpose of studying and making recommendations regarding preventing closure or realignment of federal military and national security installations and facilities located in Virginia and relocation of such facilities to Virginia, or a local or regional military affairs organization appointed by a local governing body, during which there is discussion of information subject to the exclusion in subdivision 8 of § 2.2-3705.2.

42. Discussion or consideration by the Board of Trustees of the Veterans Services Foundation of information subject to the exclusion in subdivision 28 of § 2.2-3705.7 related to personally identifiable information of donors.

43. Discussion or consideration by the Virginia Tobacco Region Revitalization Commission of information subject to the exclusion in subdivision 23 of § 2.2-3705.6 related to certain information contained in grant applications.

44. Discussion or consideration by the board of directors of the Commercial Space Flight Authority

of information subject to the exclusion in subdivision 24 of § 2.2-3705.6 related to rate structures or charges for the use of projects of, the sale of products of, or services rendered by the Authority and certain proprietary information of a private entity provided to the Authority.

45. Discussion or consideration of personal and proprietary information related to the resource management plan program and subject to the exclusion in (i) subdivision 25 of § 2.2-3705.6 or (ii) subsection E of § 10.1-104.7. This exclusion shall not apply to the discussion or consideration of records that contain information that has been certified for release by the person who is the subject of the information or transformed into a statistical or aggregate form that does not allow identification of the person who supplied, or is the subject of, the information.

46. Discussion or consideration by the Board of Directors of the Virginia Alcoholic Beverage Control Authority of information subject to the exclusion in subdivision 1 of § 2.2-3705.3 related to investigations of applicants for licenses and permits and of licensees and permittees.

47. Discussion or consideration of grant, loan, or investment application records subject to the exclusion in subdivision 28 of § 2.2-3705.6 for a grant, loan, or investment pursuant to Article 11 (§ 2.2-2351 et seq.) of Chapter 22.

48. Discussion or development of grant proposals by a regional council established pursuant to Article 26 (§ 2.2-2484 et seq.) of Chapter 24 to be submitted for consideration to the Virginia Growth and Opportunity Board.

49. Discussion or consideration of (i) individual sexual assault cases by a sexual assault response team established pursuant to § 15.2-1627.4, (ii) individual child abuse or neglect cases or sex offenses involving a child by a child sexual abuse response team established pursuant to § 15.2-1627.5, or (iii) individual cases involving abuse, neglect, or exploitation of adults as defined in § 63.2-1603 pursuant to §§ 15.2-1627.5 and 63.2-1605.

50. Discussion or consideration by the Board of the Virginia Economic Development Partnership Authority, the Joint Legislative Audit and Review Commission, or any subcommittees thereof, of the portions of the strategic plan, marketing plan, or operational plan exempt from disclosure pursuant to subdivision 33 of § 2.2-3705.7.

51. Those portions of meetings of the subcommittee of the Board of the Virginia Economic Development Partnership Authority established pursuant to subsection F of § 2.2-2237.3 to review and discuss information received from the Virginia Employment Commission pursuant to subdivision C 2 of § 60.2-114 and the Department of Workforce Development and Advancement pursuant to subsection B of § 2.2-2040.

52. Discussion or consideration by the Commonwealth of Virginia Innovation Partnership Authority (the Authority), an advisory committee of the Authority, or any other entity designated by the Authority, of information subject to the exclusion in subdivision 35 of § 2.2-3705.7.

53. Deliberations of the Virginia Lottery Board conducted pursuant to § 58.1-4105 regarding the denial or revocation of a license of a casino gaming operator, or the refusal to issue, suspension of, or revocation of any license or permit related to casino gaming, and discussion, consideration, or review of matters related to investigations excluded from mandatory disclosure under subdivision 1 of § 2.2-3705.3.

54. Deliberations of the Virginia Lottery Board in an appeal conducted pursuant to § 58.1-4007 regarding the denial of, revocation of, suspension of, or refusal to renew any license or permit related to sports betting and any discussion, consideration, or review of matters related to investigations excluded from mandatory disclosure under subdivision 1 of § 2.2-3705.3.

B. No resolution, ordinance, rule, contract, regulation or motion adopted, passed or agreed to in a closed meeting shall become effective unless the public body, following the meeting, reconvenes in open meeting and takes a vote of the membership on such resolution, ordinance, rule, contract, regulation, or motion that shall have its substance reasonably identified in the open meeting.

C. Public officers improperly selected due to the failure of the public body to comply with the other provisions of this section shall be de facto officers and, as such, their official actions are valid until they obtain notice of the legal defect in their election.

D. Nothing in this section shall be construed to prevent the holding of conferences between two or more public bodies, or their representatives, but these conferences shall be subject to the same procedures for holding closed meetings as are applicable to any other public body.

E. This section shall not be construed to (i) require the disclosure of any contract between the Department of Health Professions and an impaired practitioner entered into pursuant to Chapter 25.1 (§ 54.1-2515 et seq.) of Title 54.1 or (ii) require the board of directors of any authority created pursuant to the Industrial Development and Revenue Bond Act (§ 15.2-4900 et seq.), or any public body empowered to issue industrial revenue bonds by general or special law, to identify a business or industry to which subdivision A 5 applies. However, such business or industry shall be identified as a matter of public record at least 30 days prior to the actual date of the board's authorization of the sale or issuance

305 of such bonds.

306 **§ 2.2-3711. (Effective pursuant to Acts 2023, cc. 756 and 778, cl. 5) Closed meetings authorized**
307 **for certain limited purposes.**

308 A. Public bodies may hold closed meetings only for the following purposes:

309 1. Discussion, consideration, or interviews of prospective candidates for employment; assignment,
310 appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public
311 officers, appointees, or employees of any public body; and evaluation of performance of departments or
312 schools of public institutions of higher education where such evaluation will necessarily involve
313 discussion of the performance of specific individuals. Any teacher shall be permitted to be present
314 during a closed meeting in which there is a discussion or consideration of a disciplinary matter that
315 involves the teacher and some student and the student involved in the matter is present, provided that
316 the teacher makes a written request to be present to the presiding officer of the appropriate board.
317 Nothing in this subdivision, however, shall be construed to authorize a closed meeting by a local
318 governing body or an elected school board to discuss compensation matters that affect the membership
319 of such body or board collectively.

320 2. Discussion or consideration of admission or disciplinary matters or any other matters that would
321 involve the disclosure of information contained in a scholastic record concerning any student of any
322 public institution of higher education in the Commonwealth or any state school system. However, any
323 such student, legal counsel and, if the student is a minor, the student's parents or legal guardians shall
324 be permitted to be present during the taking of testimony or presentation of evidence at a closed
325 meeting, if such student, parents, or guardians so request in writing and such request is submitted to the
326 presiding officer of the appropriate board.

327 3. Discussion or consideration of the acquisition of real property for a public purpose, or of the
328 disposition of publicly held real property, where discussion in an open meeting would adversely affect
329 the bargaining position or negotiating strategy of the public body.

330 4. The protection of the privacy of individuals in personal matters not related to public business.

331 5. Discussion concerning a prospective business or industry or the expansion of an existing business
332 or industry where no previous announcement has been made of the business' or industry's interest in
333 locating or expanding its facilities in the community.

334 6. Discussion or consideration of the investment of public funds where competition or bargaining is
335 involved, where, if made public initially, the financial interest of the governmental unit would be
336 adversely affected.

337 7. Consultation with legal counsel and briefings by staff members or consultants pertaining to actual
338 or probable litigation, where such consultation or briefing in open meeting would adversely affect the
339 negotiating or litigating posture of the public body. For the purposes of this subdivision, "probable
340 litigation" means litigation that has been specifically threatened or on which the public body or its legal
341 counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in
342 this subdivision shall be construed to permit the closure of a meeting merely because an attorney
343 representing the public body is in attendance or is consulted on a matter.

344 8. Consultation with legal counsel employed or retained by a public body regarding specific legal
345 matters requiring the provision of legal advice by such counsel. Nothing in this subdivision shall be
346 construed to permit the closure of a meeting merely because an attorney representing the public body is
347 in attendance or is consulted on a matter.

348 9. Discussion or consideration by governing boards of public institutions of higher education of
349 matters relating to gifts, bequests and fund-raising activities, and of grants and contracts for services or
350 work to be performed by such institution. However, the terms and conditions of any such gifts, bequests,
351 grants, and contracts made by a foreign government, a foreign legal entity, or a foreign person and
352 accepted by a public institution of higher education in the Commonwealth shall be subject to public
353 disclosure upon written request to the appropriate board of visitors. For the purpose of this subdivision,
354 (i) "foreign government" means any government other than the United States government or the
355 government of a state or a political subdivision thereof, (ii) "foreign legal entity" means any legal entity
356 (a) created under the laws of the United States or of any state thereof if a majority of the ownership of
357 the stock of such legal entity is owned by foreign governments or foreign persons or if a majority of the
358 membership of any such entity is composed of foreign persons or foreign legal entities or (b) created
359 under the laws of a foreign government, and (iii) "foreign person" means any individual who is not a
360 citizen or national of the United States or a trust territory or protectorate thereof.

361 10. Discussion or consideration by the boards of trustees of the Virginia Museum of Fine Arts, the
362 Virginia Museum of Natural History, the Jamestown-Yorktown Foundation, the Fort Monroe Authority,
363 and The Science Museum of Virginia of matters relating to specific gifts, bequests, and grants from
364 private sources.

365 11. Discussion or consideration of honorary degrees or special awards.

366 12. Discussion or consideration of tests, examinations, or other information used, administered, or

prepared by a public body and subject to the exclusion in subdivision 4 of § 2.2-3705.1.

13. Discussion, consideration, or review by the appropriate House or Senate committees of possible disciplinary action against a member arising out of the possible inadequacy of the disclosure statement filed by the member, provided that the member may request in writing that the committee meeting not be conducted in a closed meeting.

14. Discussion of strategy with respect to the negotiation of a hazardous waste siting agreement or to consider the terms, conditions, and provisions of a hazardous waste siting agreement if the governing body in open meeting finds that an open meeting will have an adverse effect upon the negotiating position of the governing body or the establishment of the terms, conditions and provisions of the siting agreement, or both. All discussions with the applicant or its representatives may be conducted in a closed meeting.

15. Discussion by the Governor and any economic advisory board reviewing forecasts of economic activity and estimating general and nongeneral fund revenues.

16. Discussion or consideration of medical and mental health records subject to the exclusion in subdivision 1 of § 2.2-3705.5.

17. Deliberations of the Virginia Lottery Board in a licensing appeal action conducted pursuant to subsection D of § 58.1-4007 regarding the denial or revocation of a license of a lottery sales agent; and discussion, consideration or review of Virginia Lottery matters related to proprietary lottery game information and studies or investigations excluded from disclosure under subdivision 6 of § 2.2-3705.3 and subdivision 11 of § 2.2-3705.7.

18. Those portions of meetings in which the State Board of Local and Regional Jails discusses or discloses the identity of, or information tending to identify, any prisoner who (i) provides information about crimes or criminal activities, (ii) renders assistance in preventing the escape of another prisoner or in the apprehension of an escaped prisoner, or (iii) voluntarily or at the instance of a prison official renders other extraordinary services, the disclosure of which is likely to jeopardize the prisoner's life or safety.

19. Discussion of plans to protect public safety as it relates to terrorist activity or specific cybersecurity threats or vulnerabilities and briefings by staff members, legal counsel, or law-enforcement or emergency service officials concerning actions taken to respond to such matters or a related threat to public safety; discussion of information subject to the exclusion in subdivision 2 or 14 of § 2.2-3705.2, where discussion in an open meeting would jeopardize the safety of any person or the security of any facility, building, structure, information technology system, or software program; or discussion of reports or plans related to the security of any governmental facility, building or structure, or the safety of persons using such facility, building or structure.

20. Discussion by the Board of the Virginia Retirement System, acting pursuant to § 51.1-124.30, or of any local retirement system, acting pursuant to § 51.1-803, or by a local finance board or board of trustees of a trust established by one or more local public bodies to invest funds for postemployment benefits other than pensions, acting pursuant to Article 8 (§ 15.2-1544 et seq.) of Chapter 15 of Title 15.2, or by the board of visitors of the University of Virginia, acting pursuant to § 23.1-2210, or by the Board of the Virginia College Savings Plan, acting pursuant to § 23.1-706, regarding the acquisition, holding or disposition of a security or other ownership interest in an entity, where such security or ownership interest is not traded on a governmentally regulated securities exchange, to the extent that such discussion (i) concerns confidential analyses prepared for the board of visitors of the University of Virginia, prepared by the retirement system, or a local finance board or board of trustees, or the Virginia College Savings Plan or provided to the retirement system, a local finance board or board of trustees, or the Virginia College Savings Plan under a promise of confidentiality, of the future value of such ownership interest or the future financial performance of the entity, and (ii) would have an adverse effect on the value of the investment to be acquired, held, or disposed of by the retirement system, a local finance board or board of trustees, the board of visitors of the University of Virginia, or the Virginia College Savings Plan. Nothing in this subdivision shall be construed to prevent the disclosure of information relating to the identity of any investment held, the amount invested or the present value of such investment.

21. Those portions of meetings in which individual child death cases are discussed by the State Child Fatality Review Team established pursuant to § 32.1-283.1, those portions of meetings in which individual child death cases are discussed by a regional or local child fatality review team established pursuant to § 32.1-283.2, those portions of meetings in which individual death cases are discussed by family violence fatality review teams established pursuant to § 32.1-283.3, those portions of meetings in which individual adult death cases are discussed by the state Adult Fatality Review Team established pursuant to § 32.1-283.5, those portions of meetings in which individual adult death cases are discussed by a local or regional adult fatality review team established pursuant to § 32.1-283.6, those portions of meetings in which individual death cases are discussed by overdose fatality review teams established

428 pursuant to § 32.1-283.7, those portions of meetings in which individual maternal death cases are
429 discussed by the Maternal Mortality Review Team pursuant to § 32.1-283.8, and those portions of
430 meetings in which individual death cases of persons with developmental disabilities are discussed by the
431 Developmental Disabilities Mortality Review Committee established pursuant to § 37.2-314.1.

432 22. Those portions of meetings of the board of visitors of the University of Virginia or Old
433 Dominion University, as the case may be, and those portions of meetings of any persons to whom
434 management responsibilities for the University of Virginia Medical Center or the Eastern Virginia Health
435 Sciences Center at Old Dominion University, as the case may be, have been delegated, in which there is
436 discussed proprietary, business-related information pertaining to the operations of the University of
437 Virginia Medical Center or the Eastern Virginia Health Sciences Center at Old Dominion University, as
438 the case may be, including business development or marketing strategies and activities with existing or
439 future joint venturers, partners, or other parties with whom the University of Virginia Medical Center or
440 the Eastern Virginia Health Sciences Center at Old Dominion University, as the case may be, has
441 formed, or forms, any arrangement for the delivery of health care, if disclosure of such information
442 would adversely affect the competitive position of the University of Virginia Medical Center or the
443 Eastern Virginia Health Sciences Center at Old Dominion University, as the case may be.

444 23. Discussion or consideration by the Virginia Commonwealth University Health System Authority
445 or the board of visitors of Virginia Commonwealth University of any of the following: the acquisition or
446 disposition by the Authority of real property, equipment, or technology software or hardware and related
447 goods or services, where disclosure would adversely affect the bargaining position or negotiating
448 strategy of the Authority; matters relating to gifts or bequests to, and fund-raising activities of, the
449 Authority; grants and contracts for services or work to be performed by the Authority; marketing or
450 operational strategies plans of the Authority where disclosure of such strategies or plans would adversely
451 affect the competitive position of the Authority; and members of the Authority's medical and teaching
452 staffs and qualifications for appointments thereto.

453 24. Those portions of the meetings of the Health Practitioners' Monitoring Program Committee within
454 the Department of Health Professions to the extent such discussions identify any practitioner who may
455 be, or who actually is, impaired pursuant to Chapter 25.1 (§ 54.1-2515 et seq.) of Title 54.1.

456 25. Meetings or portions of meetings of the Board of the Virginia College Savings Plan wherein
457 personal information, as defined in § 2.2-3801, which has been provided to the Board or its employees
458 by or on behalf of individuals who have requested information about, applied for, or entered into
459 prepaid tuition contracts or savings trust account agreements pursuant to Chapter 7 (§ 23.1-700 et seq.)
460 of Title 23.1 is discussed.

461 26. Discussion or consideration, by the former Wireless Carrier E-911 Cost Recovery Subcommittee
462 created pursuant to former § 56-484.15, of trade secrets submitted by CMRS providers, as defined in §
463 56-484.12, related to the provision of wireless E-911 service.

464 27. Those portions of disciplinary proceedings by any regulatory board within the Department of
465 Professional and Occupational Regulation, Department of Health Professions, or the Board of
466 Accountancy conducted pursuant to § 2.2-4019 or 2.2-4020 during which the board deliberates to reach
467 a decision or meetings of health regulatory boards or conference committees of such boards to consider
468 settlement proposals in pending disciplinary actions or modifications to previously issued board orders as
469 requested by either of the parties.

470 28. Discussion or consideration of information subject to the exclusion in subdivision 11 of
471 § 2.2-3705.6 by a responsible public entity or an affected locality or public entity, as those terms are
472 defined in § 33.2-1800, or any independent review panel appointed to review information and advise
473 the responsible public entity concerning such records.

474 29. Discussion of the award of a public contract involving the expenditure of public funds, including
475 interviews of bidders or offerors, and discussion of the terms or scope of such contract, where
476 discussion in an open session would adversely affect the bargaining position or negotiating strategy of
477 the public body.

478 30. Discussion or consideration of grant or loan application information subject to the exclusion in
479 subdivision 17 of § 2.2-3705.6 by the Commonwealth Health Research Board.

480 31. Discussion or consideration by the Commitment Review Committee of information subject to the
481 exclusion in subdivision 5 of § 2.2-3705.2 relating to individuals subject to commitment as sexually
482 violent predators under Chapter 9 (§ 37.2-900 et seq.) of Title 37.2.

483 32. Discussion or consideration of confidential proprietary information and trade secrets developed
484 and held by a local public body providing certain telecommunication services or cable television services
485 and subject to the exclusion in subdivision 18 of § 2.2-3705.6. However, the exemption provided by this
486 subdivision shall not apply to any authority created pursuant to the BVU Authority Act (§ 15.2-7200 et
487 seq.).

488 33. Discussion or consideration by a local authority created in accordance with the Virginia Wireless
489 Service Authorities Act (§ 15.2-5431.1 et seq.) of confidential proprietary information and trade secrets

subject to the exclusion in subdivision 19 of § 2.2-3705.6.

34. Discussion or consideration by the State Board of Elections or local electoral boards of voting security matters made confidential pursuant to § 24.2-410.2 24.2-407.2 or 24.2-625.1.

35. Discussion or consideration by the Forensic Science Board or the Scientific Advisory Committee created pursuant to Article 2 (§ 9.1-1109 et seq.) of Chapter 11 of Title 9.1 of criminal investigative files.

36. Discussion or consideration by the Brown v. Board of Education Scholarship Committee of information or confidential matters subject to the exclusion in subdivision A 3 of § 2.2-3705.4, and meetings of the Committee to deliberate concerning the annual maximum scholarship award, review and consider scholarship applications and requests for scholarship award renewal, and cancel, rescind, or recover scholarship awards.

37. Discussion or consideration by the Virginia Port Authority of information subject to the exclusion in subdivision 1 of § 2.2-3705.6 related to certain proprietary information gathered by or for the Virginia Port Authority.

38. Discussion or consideration by the Board of Trustees of the Virginia Retirement System acting pursuant to § 51.1-124.30, by the Investment Advisory Committee appointed pursuant to § 51.1-124.26, by any local retirement system, acting pursuant to § 51.1-803, by the Board of the Virginia College Savings Plan acting pursuant to § 23.1-706, or by the Virginia College Savings Plan's Investment Advisory Committee appointed pursuant to § 23.1-702 of information subject to the exclusion in subdivision 24 of § 2.2-3705.7.

39. Discussion or consideration of information subject to the exclusion in subdivision 3 of § 2.2-3705.6 related to economic development.

40. Discussion or consideration by the Board of Education of information relating to the denial, suspension, or revocation of teacher licenses subject to the exclusion in subdivision 11 of § 2.2-3705.3.

41. Those portions of meetings of the Virginia Military Advisory Council or any commission created by executive order for the purpose of studying and making recommendations regarding preventing closure or realignment of federal military and national security installations and facilities located in Virginia and relocation of such facilities to Virginia, or a local or regional military affairs organization appointed by a local governing body, during which there is discussion of information subject to the exclusion in subdivision 8 of § 2.2-3705.2.

42. Discussion or consideration by the Board of Trustees of the Veterans Services Foundation of information subject to the exclusion in subdivision 28 of § 2.2-3705.7 related to personally identifiable information of donors.

43. Discussion or consideration by the Virginia Tobacco Region Revitalization Commission of information subject to the exclusion in subdivision 23 of § 2.2-3705.6 related to certain information contained in grant applications.

44. Discussion or consideration by the board of directors of the Commercial Space Flight Authority of information subject to the exclusion in subdivision 24 of § 2.2-3705.6 related to rate structures or charges for the use of projects of, the sale of products of, or services rendered by the Authority and certain proprietary information of a private entity provided to the Authority.

45. Discussion or consideration of personal and proprietary information related to the resource management plan program and subject to the exclusion in (i) subdivision 25 of § 2.2-3705.6 or (ii) subsection E of § 10.1-104.7. This exclusion shall not apply to the discussion or consideration of records that contain information that has been certified for release by the person who is the subject of the information or transformed into a statistical or aggregate form that does not allow identification of the person who supplied, or is the subject of, the information.

46. Discussion or consideration by the Board of Directors of the Virginia Alcoholic Beverage Control Authority of information subject to the exclusion in subdivision 1 of § 2.2-3705.3 related to investigations of applicants for licenses and permits and of licensees and permittees.

47. Discussion or consideration of grant, loan, or investment application records subject to the exclusion in subdivision 28 of § 2.2-3705.6 for a grant, loan, or investment pursuant to Article 11 (§ 2.2-2351 et seq.) of Chapter 22.

48. Discussion or development of grant proposals by a regional council established pursuant to Article 26 (§ 2.2-2484 et seq.) of Chapter 24 to be submitted for consideration to the Virginia Growth and Opportunity Board.

49. Discussion or consideration of (i) individual sexual assault cases by a sexual assault response team established pursuant to § 15.2-1627.4, (ii) individual child abuse or neglect cases or sex offenses involving a child by a child sexual abuse response team established pursuant to § 15.2-1627.5, or (iii) individual cases involving abuse, neglect, or exploitation of adults as defined in § 63.2-1603 pursuant to §§ 15.2-1627.5 and 63.2-1605.

50. Discussion or consideration by the Board of the Virginia Economic Development Partnership

551 Authority, the Joint Legislative Audit and Review Commission, or any subcommittees thereof, of the
552 portions of the strategic plan, marketing plan, or operational plan exempt from disclosure pursuant to
553 subdivision 33 of § 2.2-3705.7.

554 51. Those portions of meetings of the subcommittee of the Board of the Virginia Economic
555 Development Partnership Authority established pursuant to subsection F of § 2.2-2237.3 to review and
556 discuss information received from the Virginia Employment Commission pursuant to subdivision C 2 of
557 § 60.2-114 and the Department of Workforce Development and Advancement pursuant to subsection B
558 of § 2.2-2040.

559 52. Discussion or consideration by the Commonwealth of Virginia Innovation Partnership Authority
560 (the Authority), an advisory committee of the Authority, or any other entity designated by the Authority,
561 of information subject to the exclusion in subdivision 35 of § 2.2-3705.7.

562 53. Deliberations of the Virginia Lottery Board conducted pursuant to § 58.1-4105 regarding the
563 denial or revocation of a license of a casino gaming operator, or the refusal to issue, suspension of, or
564 revocation of any license or permit related to casino gaming, and discussion, consideration, or review of
565 matters related to investigations excluded from mandatory disclosure under subdivision 1 of
566 § 2.2-3705.3.

567 54. Deliberations of the Virginia Lottery Board in an appeal conducted pursuant to § 58.1-4007
568 regarding the denial of, revocation of, suspension of, or refusal to renew any license or permit related to
569 sports betting and any discussion, consideration, or review of matters related to investigations excluded
570 from mandatory disclosure under subdivision 1 of § 2.2-3705.3.

571 B. No resolution, ordinance, rule, contract, regulation or motion adopted, passed or agreed to in a
572 closed meeting shall become effective unless the public body, following the meeting, reconvenes in open
573 meeting and takes a vote of the membership on such resolution, ordinance, rule, contract, regulation, or
574 motion that shall have its substance reasonably identified in the open meeting.

575 C. Public officers improperly selected due to the failure of the public body to comply with the other
576 provisions of this section shall be de facto officers and, as such, their official actions are valid until they
577 obtain notice of the legal defect in their election.

578 D. Nothing in this section shall be construed to prevent the holding of conferences between two or
579 more public bodies, or their representatives, but these conferences shall be subject to the same
580 procedures for holding closed meetings as are applicable to any other public body.

581 E. This section shall not be construed to (i) require the disclosure of any contract between the
582 Department of Health Professions and an impaired practitioner entered into pursuant to Chapter 25.1
583 (§ 54.1-2515 et seq.) of Title 54.1 or (ii) require the board of directors of any authority created pursuant
584 to the Industrial Development and Revenue Bond Act (§ 15.2-4900 et seq.), or any public body
585 empowered to issue industrial revenue bonds by general or special law, to identify a business or industry
586 to which subdivision A 5 applies. However, such business or industry shall be identified as a matter of
587 public record at least 30 days prior to the actual date of the board's authorization of the sale or issuance
588 of such bonds.

589 **§ 24.2-401. Persons moving from precinct.**

590 A person who is qualified to vote except for having moved his residence from one precinct to
591 another within the Commonwealth may vote in the precinct from which he has moved in the following
592 November general election and any intervening election unless his registration has been transferred or
593 cancelled as provided in this chapter. In addition, a person may continue to vote in the precinct from
594 which he has moved through the ensuing second general election for federal office, provided that (i) he
595 has moved his residence from one precinct to another in the same registrar's jurisdiction and the same
596 congressional district; (ii) he has failed to respond to the notice provided in § 24.2-428 § 24.2-410.4;
597 (iii) his registration has not been transferred or cancelled as provided in this chapter; and (iv) he has
598 affirmed orally or in writing his new address before an officer of election at the polling place.

599 **§ 24.2-404. Duties of Department of Elections.**

600 A. The Department of Elections shall provide for the continuing operation and maintenance of a
601 central recordkeeping system, the Virginia voter registration system, for all voters registered in the
602 Commonwealth.

603 In order to operate and maintain the system, the Department shall:

604 1. Maintain a complete, separate, and accurate record of all registered voters in the Commonwealth.
605 Such system shall automatically register a person who has preregistered pursuant to § 24.2-403.1 upon
606 that person becoming eligible for registration under § 24.2-403 or reaching 18 years of age, whichever
607 comes first. Such system shall also assign a unique identifier to each voter registered in the system.

608 2. Require the general registrars to enter the names of all registered voters into the system and to
609 change or correct registration records as necessary.

610 3. Provide to each general registrar voter confirmation documents for newly registered voters,
611 including voters who were automatically registered pursuant to subdivision 1, and for notice to
612 registered voters on the system of changes and corrections in their registration records and polling

places.

4. Require the general registrars to delete from the record of registered voters the name of any voter who (i) is deceased, (ii) is no longer qualified to vote in the county or city where he is registered due to removal of his residence, (iii) has been convicted of a felony, (iv) has been adjudicated incapacitated, (v) is known not to be a United States citizen by reason of reports from the Department of Motor Vehicles pursuant to § 24.2-410.1 or from the Department of Elections based on information received from the Systematic Alien Verification for Entitlements Program (SAVE Program) pursuant to subsection E, or (vi) is otherwise no longer qualified to vote as may be provided by law. Such action shall be taken no later than 30 days after notification from the Department. The Department shall promptly provide the information referred to in this subdivision, upon receiving it, to general registrars.

5. ~~Retain~~ Create a cancellation record, or direct the general registrars to create a record, to be retained on the system for at least four years a separate record, for each registered voters voter whose names have been deleted registration is cancelled, with the reason for deletion cancellation. In accordance with the Virginia Freedom of Information Act (§ 2.2-3700 et seq.) and 52 U.S.C. § 20507 (i), such cancellation records shall be made available for public inspection and copying.

6. Retain on the system permanently a separate record for information received regarding deaths, felony convictions, and adjudications of incapacity pursuant to §§ 24.2-408 through 24.2-410.

7. Provide to each general registrar, at least 16 days prior to a general or primary election and three days prior to a special election, an alphabetical list of all registered voters in each precinct or portion of a precinct in which the election is being held in the county, city, or town. These precinct lists shall be used as the official lists of qualified voters and shall constitute the pollbooks. The Department shall provide instructions for the division of the pollbooks and precinct lists into sections to accommodate the efficient processing of voter lines at the polls. Prior to any general, primary, or special election, the Department shall provide any general registrar, upon his request, with a separate electronic list of all registered voters in the registrar's county or city. If electronic pollbooks are used in the locality or electronic voter registration inquiry devices are used in precincts in the locality, the Department shall provide a regional or statewide list of registered voters to the general registrar of the locality. The Department shall determine whether regional or statewide data is provided. Neither the pollbook nor the regional or statewide list of registered voters shall include the day and month of birth of the voter, but shall include the voter's year of birth.

8. Acquire by purchase, lease, or contract equipment necessary to execute the duties of the Department.

9. Use any source of information that may assist in carrying out the purposes of this section. All agencies of the Commonwealth shall cooperate with the Department in procuring and exchanging identification information for the purpose of maintaining the voter registration system. The Department may share any information that it receives from another agency of the Commonwealth with any Chief Election Officer of another state for the maintenance of the voter registration system.

10. ~~Cooperate~~ In accordance with the provisions of § 24.2-410.3, cooperate with other states and jurisdictions to develop systems to compare voters, voter history, and voter registration lists to ensure the accuracy of the voter registration rolls, to identify voters whose addresses have changed, to prevent duplication of registration in more than one state or jurisdiction, and to determine eligibility of individuals to vote in Virginia.

11. Reprint and impose a reasonable charge for the sale of any part of Title 24.2, lists of precincts and polling places, statements of election results by precinct, and any other items required of the Department by law. Receipts from such sales shall be credited to the Board for reimbursement of printing expenses.

B. The Department shall be authorized to provide for the production, distribution, and receipt of information and lists through the Virginia voter registration system by any appropriate means including, but not limited to, paper and electronic means. The Virginia Freedom of Information Act (§ 2.2-3700 et seq.) shall not apply to records about individuals maintained in this system.

C. The State Board shall institute procedures to ensure that each requirement of this section is fulfilled. As part of its procedures, the State Board shall provide that the general registrar shall mail notice of any cancellation pursuant to clause (v) of subdivision A 4 to the person whose registration is cancelled.

D. The State Board shall promulgate rules and regulations to ensure the uniform application of the law for determining a person's residence.

E. The Department shall apply to participate in the Systematic Alien Verification for Entitlements Program (SAVE Program) operated by U.S. Citizenship and Immigration Services of the U.S. Department of Homeland Security for the purposes of verifying that voters listed in the Virginia voter registration system are United States citizens. Upon approval of the application, the Department shall enter into any required memorandum of agreement with U.S. Citizenship and Immigration Services. The

674 State Board shall promulgate rules and regulations governing the use of the immigration status and
675 citizenship status information received from the SAVE Program.

676 F. The Department shall report annually by October 1 for the preceding 12 months ending August 31
677 to the Committees on Privileges and Elections on each of its activities undertaken to maintain the
678 Virginia voter registration system and the results of those activities. The Department's report shall be
679 governed by the provisions of § 2.2-608 and shall encompass activities undertaken pursuant to
680 subdivisions A 9 and 10 and subsection E and pursuant to §§ 24.2-404.3, 24.2-404.4, 24.2-408,
681 24.2-409, 24.2-409.1, 24.2-410, 24.2-410.1, 24.2-427, and 24.2-428. This report shall contain the
682 methodology used in gathering and analyzing the data. The Commissioner of Elections shall certify that
683 the data included in the report is accurate and reliable.

684 **§ 24.2-407.2. Security of the Virginia voter registration system.**

685 A. The State Board shall promulgate regulations and standards necessary to ensure the security and
686 integrity of the Virginia voter registration system and the supporting technologies utilized by the
687 counties and cities to maintain and record registrant information. The State Board shall, in consultation
688 with representatives of local government information technology professionals and general registrars,
689 update the security standards at least annually. Such review shall be completed by November 30 each
690 year.

691 B. The electoral board of each county and city that utilizes supporting technologies to maintain and
692 record registrant information shall develop and annually update written plans and procedures to ensure
693 the security and integrity of those supporting technologies. All plans and procedures shall be in
694 compliance with the security standards established by the State Board pursuant to subsection A. Each
695 electoral board shall report annually by March 1 to the Department of Elections on its security plans
696 and procedures. The general registrar and the Department of Elections shall provide assistance to the
697 electoral board, upon request by the electoral board.

698 C. In accordance with the process prescribed by the State Board, the Department of Elections may
699 limit access to the Virginia voter registration system by any county or city that has failed to comply
700 with the provisions of subsection B or the security standards established by the State Board pursuant to
701 subsection A. Such access shall be limited as necessary in order to address and resolve any security
702 risks or to enforce compliance with the provisions of subsection B or the security standards established
703 by the State Board. Prior to restricting access to the Virginia voter registration system by any county or
704 city, the Department of Elections shall provide notice to the county or city of the failure to comply with
705 the provisions of subsection A or B and the county or city shall have seven days to correct any
706 deficiencies. The Department of Elections may provide technical assistance to any county or city upon
707 request by the county or city.

708 D. Records of the State Board or of a local electoral board, to the extent such records describe
709 protocols for maintaining the security of the Virginia voter registration system and the supporting
710 technologies utilized to maintain and record registrant information, the release of which would
711 compromise the security of the Virginia voter registration system, shall be confidential and excluded
712 from inspection and copying under the Virginia Freedom of Information Act (§ 2.2-3700 et seq.).

713 E. The State Board or a local electoral board may hold a closed meeting pursuant to the provisions
714 of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.) for the purpose of discussing protocols
715 for maintaining the security of the Virginia voter registration system and the supporting technologies
716 utilized to maintain and record registrant information, where discussion of such matters in open meeting
717 would compromise the security of the Virginia voter registration system. Nothing in this subsection shall
718 be construed to authorize a closed meeting to discuss any breach of security of the Virginia voter
719 registration system.

720 F. Nothing in this section shall be construed to prohibit the release of information concerning any
721 breach of security of the Virginia voter registration system.

722 **Article 2.1.**

723 **List Maintenance.**

724 **§ 24.2-407.3. Duty of Department of Elections; list maintenance activities; annual audit; report.**

725 A. Upon receipt of any list, record, or other information provided pursuant to this article, the
726 Department shall compare the contents of such list or record to the list of all registered voters
727 maintained on the voter registration system and identify any registration record with identification
728 information that matches the identification information on the list or record.

729 B. The Department shall transmit to the appropriate general registrar any registration record
730 containing identification information that is found to match the identification information on the list or
731 record in one of the following combinations:

732 1. First name, last name, and full social security number;

733 2. First name, middle name or initial, last name, last four digits of social security number, and date
734 of birth; or

735 3. First name, middle name or initial, last name, Department of Motor Vehicles customer identifier

number, and date of birth.

The general registrars shall use the information received pursuant to this subsection to carry out their duties in accordance with § 24.2-427.

C. The Department shall notify the appropriate general registrar of any registration record containing identification information that is found to match the identification information on the list or record in one of the following combinations:

1. First name, last name, and last four digits of social security number; or

2. First name, last name, and Department of Motor Vehicles customer identifier number.

The general registrars may initiate the confirmation notification process set out in subsections C, D, and E of § 24.2-410.4 for any registered voter for whom the registrar receives notice pursuant to this subsection but shall not cancel such person's registration without doing so.

D. The Department shall conduct an annual audit of all sources of data utilized pursuant to this article for list maintenance activities in the preceding 12-month period for the purpose of determining the validity, completeness, accuracy, and reliability of the data received from each source. The results of such audit, including the methodology used to analyze and determine accuracy and reliability, shall be included in the Department's report required pursuant to subsection E.

E. The Department shall report annually by August 1 for the preceding 12 months ending June 30 to the House and Senate Committees on Privileges and Elections on each of its activities undertaken to maintain the Virginia voter registration system and the results of those activities. The Department's report shall be governed by the provisions of § 2.2-608 and shall encompass activities undertaken pursuant to this article and Article 5 (§ 24.2-426 et seq.). This report shall contain the methodology used in gathering and analyzing the data. The Commissioner of Elections shall certify that the data included in the report is accurate and reliable.

§ 24.2-408. Lists of deceased voters; State Registrar of Vital Records; Social Security Administration.

A. The State Registrar of Vital Records shall transmit to the Department of Elections by electronic means a weekly list of all persons 17 years of age or older who have died in the Commonwealth subsequent to its previous weekly list. The lists shall be in a format specified by the Department and shall contain the deceased's name; address; county, city, or town of residence; social security number, if any; and date and place of his birth and of his death for each person included on the list the following information: (i) his last name, including any other last name used; (ii) his first name, including any other name used; (iii) his middle name or initial; (iv) his date and place of birth; (v) his social security number, if any; (vi) his Department of Motor Vehicles customer identifier number, if any; (vii) his last known address of residence, including the county, city, or town; and (viii) his date and place of death.

B. On or before July 1 of each year, the Department shall conduct a match of the Virginia registered voter lists with the list of deceased persons maintained by the Social Security Administration.

C. The Department shall compare the contents of such lists to identify record matches in accordance with § 24.2-407.3, and the general registrars shall have access to the information in the lists necessary to carry out their duties pursuant to § 24.2-427. The Department shall maintain a permanent record of the information in the lists as part of the voter registration system; and the general registrars shall use the information in the lists to carry out their duties pursuant to § 24.2-427. Information in the lists shall be confidential and consistent with the requirements of § 32.1-271.

§ 24.2-409. Lists of persons convicted of felonies; Central Criminal Records Exchange.

A. Each month, the Central Criminal Records Exchange shall transmit to the Department of Elections by electronic means (i) a monthly a list of all persons convicted of a felony during the preceding month and (ii) an annual list of all persons who have been convicted of a felony, regardless of when the conviction occurred. The list shall be in a format mutually agreed upon by the Commissioner of Elections and the Department of State Police and shall contain the convicted person's name; address; county, city, or town of residence; social security number, if any; date and place of birth; and date of conviction for each person included on the list the following identification information: (i) his last name, including any other last name used; (ii) his first name, including any other name used; (iii) his middle name or initial; (iv) his date and place of birth; (v) his social security number, if any; (vi) his Department of Motor Vehicles customer identifier number, if any; (vii) his last known address of residence, including the county, city, or town; and (viii) the offenses for which he was convicted and the date of conviction for each. The Department shall maintain a permanent record of the information in the lists as part of the voter registration system.

B. Upon receipt of the monthly list, the Department shall compare, on a monthly basis, the contents of the list to the list of all registered voters maintained on the voter registration system and shall notify the appropriate general registrar of the felony conviction of any registered voter to identify record matches in accordance with § 24.2-407.3. The general registrars shall have access to the information in the lists necessary to carry out their duties pursuant to § 24.2-427.

797 C. On or before July 1 each year, the Central Criminal Records Exchange shall transmit to the
 798 Department of Elections by electronic means a list of all persons convicted of a felony, regardless of
 799 when the conviction occurred. The list shall be in a format mutually agreed upon by the Commissioner
 800 of Elections and the Department of State Police and shall contain, at a minimum, the information
 801 required in clauses (i) through (viii) of subsection A for monthly lists. Upon receipt of the annual list,
 802 the Department shall compare the contents of the list to the list of all registered voters maintained on
 803 the voter registration system and shall notify the appropriate general registrar of the felony conviction of
 804 any registered voter to identify record matches in accordance with § 24.2-407.3. The general registrars
 805 shall have access to the information in the lists necessary to carry out their duties pursuant to
 806 § 24.2-427.

807 D. The Department shall maintain as part of the voter registration system a permanent record of the
 808 information in the lists received pursuant to this section.

809 **§ 24.2-410. Lists of certain adjudications; clerks of circuit court.**

810 The A. Each month, the clerk of each circuit court shall ~~furnish monthly~~ transmit to the Department
 811 of Elections by electronic means a complete list of all persons who have been adjudicated incapacitated
 812 pursuant to Chapter 20 (§ 64.2-2000 et seq.) of Title 64.2 or whose incapacity has been recognized
 813 pursuant to § 64.2-2115, and therefore "mentally incompetent" for purposes of this title unless the court
 814 order specifically provides otherwise, during the preceding month ~~or~~. If no such adjudications have
 815 occurred that month, the clerk shall transmit to the Department instead a statement that no adjudications
 816 have occurred that month. The list shall contain for each such ~~person's~~ person included on the list the
 817 following identification information: (i) his last name, including any other last name used; (ii) his first
 818 name, including any other name used; (iii) his middle name or initial; (iv) his last known address of
 819 residence, including the county, city, or town of residence; (v) his social security number, if any; (vi) his
 820 Department of Motor Vehicles customer identifier number, if any; (vii) his date and place of birth; and
 821 (viii) the date of his adjudication. The Commissioner of Elections and the Executive Secretary shall
 822 determine the procedure for furnishing such lists, which may be by electronic means.

823 B. Upon receipt of the monthly list, the Department shall compare the contents of the list to the list
 824 of all registered voters maintained on the voter registration system to identify record matches in
 825 accordance with § 24.2-407.3. The general registrars shall have access to the information in the lists
 826 necessary to carry out their duties pursuant to § 24.2-427.

827 C. The Department shall ~~transmit~~ maintain as part of the voter registration system a permanent
 828 record of the information in the lists received pursuant to this section ~~from the list to the appropriate~~
 829 ~~general registrars.~~

830 **§ 24.2-410.1. Lists of noncitizens; Department of Motor Vehicles.**

831 A. The Department of Motor Vehicles shall include on the application for any document, or renewal
 832 thereof, issued pursuant to the provisions of Chapter 3 (§ 46.2-300 et seq.) of Title 46.2 a statement
 833 asking the applicant if he is a United States citizen. Information on citizenship status shall not be a
 834 determinative factor for the issuance of any document pursuant to the provisions of Chapter 3
 835 (§ 46.2-300 et seq.) of Title 46.2.

836 B. The Department of Motor Vehicles shall furnish monthly to the Department of Elections a
 837 complete list of all persons who have indicated a noncitizen status to the Department of Motor Vehicles
 838 in obtaining any document, or renewal thereof, issued pursuant to the provisions of Chapter 3
 839 (§ 46.2-300 et seq.) of Title 46.2. Such list shall contain for each person included on the list the
 840 following identification information: (i) his last name, including any other last name used; (ii) his first
 841 name, including any other name used; (iii) his middle name or initial; (iv) his date and place of birth;
 842 (v) his social security number, if any; (vi) his Department of Motor Vehicles customer identifier number,
 843 if any; and (vii) his last known address of residence, including the county, city, or town.

844 The C. Upon receipt of the monthly list, the Department of Elections shall ~~transmit the information~~
 845 ~~from the list to the appropriate~~ compare the contents of the list to the list of all registered voters
 846 maintained on the voter registration system to identify record matches in accordance with § 24.2-407.3.
 847 The general registrars shall have access to the information in the lists necessary to carry out their duties
 848 pursuant to § 24.2-427. Information in the lists shall be confidential and available only for official use
 849 by the Department of Elections and general registrars.

850 B. D. For the purposes of this section, the Department of Motor Vehicles is not responsible for
 851 verifying the claim of any applicant who indicates United States citizen status when applying for any
 852 document, or renewal thereof, issued pursuant to the provisions of Chapter 3 (§ 46.2-300 et seq.) of
 853 Title 46.2.

854 **§ 24.2-410.3. Exchange of registered voter lists with other states.**

855 A. Pursuant to its authority under subsection A of § 24.2-405 and subsections B and C of § 24.2-406,
 856 the The Department of Elections shall (i) request voter registration information and lists of persons
 857 voting at primaries and elections, if available, from the states bordering the Commonwealth and (ii)
 858 utilize data regarding voter registration and lists of persons voting at primaries and elections received

through list comparisons with other states in order 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 as part of its duty to maintain the overall accuracy of the voter registration system.

B. Pursuant to its authority under subdivision A 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 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 subsection A with the state voter registration list and initiate list maintenance procedures under applicable state and federal law to identify record matches in accordance with § 24.2-407.3. The Department shall include in its report to the House and Senate Committees on Privileges and Elections, required by subsection F of § 24.2-404 § 24.2-407.3, 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.

C. The Department shall not utilize any data received pursuant to subsection A for list maintenance purposes when such data file does not include a unique identifier for each individual whose information is contained in the data file. For purposes of this subsection, a "unique identifier" means an individual's full social security number or Virginia Department of Motor Vehicles customer identifier number, or any data field or combination of data fields that can be reliably linked to a single individual.

§ 24.2-410.4. Regular periodic review of registration records; confirmation notification process.

A. In accordance with the National Voter Registration Act of 1993 (52 U.S.C. § 20501 et seq.), the Department of Elections shall establish a voter list maintenance program using the change of address information supplied by the United States Postal Service through its licensees, or by other reliable sources, to identify voters whose addresses may have changed. Any such program shall be regular and periodic and shall be conducted at least annually. The program shall be completed not later than 90 days prior to the date of a federal primary or federal general election.

B. If it appears from information provided by the United States Postal Service or by other reliable sources that a voter has moved to a different address in the same county or city in which the voter is currently registered, the Department shall provide to the general registrar the information necessary to change the registration records to show the new address, and the Department or the general registrar shall send to the new address of the voter by forwardable mail, a notice of the change, along with a postage prepaid, pre-addressed return card by which the voter may verify or correct the address information.

C. If it appears from information provided by the United States Postal Service or by other reliable sources that a voter has moved to a different address not in the same county or city, the Department or the general registrar shall send to the last known address of the voter by forwardable mail, a notice on a form prescribed by the Department, along with a postage prepaid and pre-addressed return card on which the voter may verify or correct the address information or state his current address.

D. The registered voter shall complete and sign the return card subject to felony penalties for making false statements pursuant to § 24.2-1016 and shall return such card to the general registrar within 30 days of it being sent.

E. The general registrar shall correct his registration records from the information obtained from the return card. If the information indicates that the registered voter has moved to another general registrar's jurisdiction within the Commonwealth, the general registrar shall transfer the registration record, along with the return card, to the appropriate general registrar who shall treat the request for a change of address as a request for transfer and shall send a voter registration card as confirmation of the transfer to the voter pursuant to § 24.2-424.

§ 24.2-410.5. Placement on inactive status; other initiating events for confirmation notification process.

A. If a registered voter who has been sent a return card pursuant to § 24.2-410.4 does not return such card within 30 days of it being sent to the voter, the registered voter's name shall be placed on inactive status. A registered voter's failure to receive the notice shall not affect the validity of the inactivation.

B. The general registrars shall follow the confirmation notification process set forth in § 24.2-410.4 if:

1. A registered voter provides an address on a candidate or referendum petition that differs from the address for the voter on the voter registration system; or

2. Any of the following documents were sent to a registered voter and are returned by the United States Postal Service as undeliverable:

a. An acknowledgment of registration;

920 *b. An acknowledgment of transfer to a new address;*
921 *c. An absentee ballot or application for an absentee ballot sent or provided in accordance with*
922 *Chapter 7 (§ 24.2-700 et seq.);*
923 *d. Notification to a voter after a precinct reassignment;*
924 *e. Notification of a change of address sent to a voter in accordance with subsection B of*
925 *§ 24.2-410.4; or*
926 *f. Any official voter registration or election mail.*
927 **§ 24.2-410.6. Return of registered voter to active status; cancellation after period of inactivity.**
928 *A. In accordance with the National Voter Registration Act of 1993 (52 U.S.C. § 20501 et seq.), a*
929 *registered voter shall be returned to active status from inactive status if, during the period beginning on*
930 *the date the voter was assigned to inactive status and ending on the day of the second general election*
931 *for federal office thereafter, the voter:*
932 *1. Notifies the general registrar of a change of address within the county or city;*
933 *2. Responds to a confirmation notice with information that the voter continues to reside at the*
934 *registration address;*
935 *3. Votes or attempts to vote in a primary or a special or general election and, if necessary, corrects*
936 *the registration record; or*
937 *4. Transfers his registration to another county or city within the Commonwealth pursuant to §*
938 *24.2-424 or subsection E of § 24.2-410.4.*
939 *B. In accordance with the National Voter Registration Act of 1993 (52 U.S.C. § 20501 et seq.), a*
940 *registered voter assigned inactive status shall have his voter registration cancelled if, during the period*
941 *beginning on the date the voter was assigned to inactive status and ending on the day of the second*
942 *general election for federal office thereafter, the voter fails to take an action set out in subdivisions A 1*
943 *through 4.*
944 *C. The general registrar shall post at the courthouse or have published in a newspaper of general*
945 *circulation in his county or city a list of names of persons whose registration has been cancelled*
946 *pursuant to this section. The general registrar shall deliver or mail, obtaining a certificate of mailing, a*
947 *certified copy of the list to the chairman of each political party in his county or city.*
948 **§ 24.2-426.1. Cancellation of registration by voter.**
949 *A. Any registered voter may cancel his registration by submitting to the general registrar a written*
950 *authorization, signed by the voter, that his voter registration shall be cancelled. Such cancellation*
951 *authorization shall be made at least 22 days prior to an election in order to be valid in that election,*
952 *unless such cancellation authorization is made in person or notarized. Within 10 days of receiving such*
953 *authorization, the general registrar shall acknowledge receipt of the authorization and advise the voter*
954 *by first-class mail, or in person if such authorization is made in person, that his registration has been*
955 *cancelled.*
956 *B. Notice received by a general registrar from the registration official of another jurisdiction, or*
957 *signed by the voter, that a registered voter has moved from the Commonwealth or that the registered*
958 *voter has registered to vote outside the Commonwealth subsequent to his registration in the*
959 *Commonwealth shall be considered a written authorization from the voter to have his registration*
960 *cancelled.*
961 **§ 24.2-427. Cancellation of registration for persons known to be deceased or disqualified to**
962 **vote.**
963 *A. Any registered voter may cancel his registration and have his name removed from the central*
964 *registration records by signing an authorization for cancellation and mailing or otherwise submitting the*
965 *signed authorization to the general registrar. When submitted by any means other than when notarized or*
966 *in person, such cancellation must be made at least 22 days prior to an election in order to be valid in*
967 *that election. The general registrar shall acknowledge receipt of the authorization and advise the voter in*
968 *person or by first-class mail that his registration has been canceled within 10 days of receipt of such*
969 *authorization.*
970 *B. The general registrar shall promptly cancel the registration of (i) all persons known by him to be*
971 *deceased or disqualified to vote in accordance with the provisions of this section. A voter's registration*
972 *may be cancelled at any time during the year in which the general registrar discovers that the person is*
973 *no longer entitled to be registered. The general registrar shall provide notice of any cancellation to the*
974 *person whose registration is cancelled, by mail to the address listed in the voter's registration record*
975 *and by email to the email address provided on the voter's registration application, if one was provided;*
976 *(ii) all persons known by him to be disqualified to vote by reason of a felony conviction or adjudication*
977 *of incapacity; (iii) all persons known by him not to be United States citizens by reason of reports from*
978 *the Department of Motor Vehicles pursuant to § 24.2-410.1 or from the Department of Elections based*
979 *on information received from the Systematic Alien Verification for Entitlements Program (SAVE*
980 *Program) pursuant to subsection E of § 24.2-404 and in accordance with the requirements of subsection*
981 *C; (iv) all persons for whom a notice has been received, signed by the voter, or from the registration*

official of another jurisdiction that the voter has moved from the Commonwealth; and (v) all persons for whom a notice has been received, signed by the voter, or from the registration official of another jurisdiction that the voter has registered to vote outside the Commonwealth, subsequent to his registration in Virginia. The notice received in clauses (iv) and (v) shall be considered as a written request from the voter to have his registration cancelled. A voter's registration may be cancelled at any time during the year in which the general registrar discovers that the person is no longer entitled to be registered. The general registrar shall provide notice of any cancellation to the person whose registration is cancelled, by mail to the address listed in the voter's registration record and by email to the email address provided on the voter's registration application, if one was provided.

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

D. *The C. Upon receipt of notice from the Department of Elections pursuant to § 24.2-409 that a registered voter has been convicted of a felony, the general registrar shall (i) process the Department's most recent list of persons convicted of felonies within 21 to 14 days before any primary or general election; (ii) cancel the registration of any registered voter shown to have been convicted of a felony who has not provided evidence that his right to vote has been restored; and (iii) send prompt notice to the person of the cancellation of his registration. If it appears that any registered voter has made a false statement on his registration application with respect to his having been convicted of a felony, the general registrar shall report the fact to the attorney for the Commonwealth for prosecution under § 24.2-1016 for a false statement made on his registration application mail notice promptly to the registered voter prior to cancelling such person's registration. The notice shall inform the person of the report from the Central Criminal Records Exchange and allow the person to submit his sworn statement that he has not been convicted of a felony within 14 days of the date that the notice was mailed. The general registrar shall cancel the registration of any such person who does not respond within such time.*

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

§ 24.2-435. Records related to cancellation of registration; retention period.

The registration records of voters whose registration has been cancelled pursuant to this article shall be retained for two four years from the date of cancellation by the general registrar. However, the registration records of voters whose registration has been cancelled because the voter has moved to another state or the voter has submitted changes to his registration records shall be retained for four years. The cancellation records required by subdivision A 5 of § 24.2-404 shall also be retained for four years from the date of cancellation by the general registrar.

§ 24.2-444. Duties of general registrars and Department of Elections as to voter registration records; public inspection; exceptions.

A. Registration records shall be kept and preserved by the general registrar in compliance with §§ 2.2-3803, 2.2-3808, and 24.2-114. The Department shall provide to each general registrar, for each

precinct in his county or city, lists of registered voters for inspection. The lists shall contain the name, address, year of birth, gender and all election districts applicable to each registered voter. The lists shall be opened to public inspection at the office of the general registrar when the office is open for business. New lists shall be provided not less than once each year to all localities except those in which an updated list is made available electronically for public inspection, and supplements containing additions, deletions, and changes shall be provided not less than (i) weekly during the 60 days preceding any general election and (ii) monthly at other times. Notwithstanding any other provision of law regarding the retention of records, upon receipt of any new complete list, the general registrar shall destroy the obsolete list and its supplements. The Department shall provide to each general registrar lists of persons denied registration for public inspection. Such lists may be provided electronically through the Virginia voter registration system and produced in whole or in part upon a request for public inspection.

B. The general registrars shall maintain for at least two years and shall make available for public inspection and copying and, where available, photocopying at a reasonable cost, all records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of the registration records pursuant to §§ 24.2-410.4, 24.2-410.5, and 24.2-427; ~~24.2-428 and 24.2-428.1~~, including lists of the names and addresses of all persons to whom notices are sent, and information concerning whether each person has responded to the notice as of the date that inspection of the records is made.

C. No list provided by the Department under subsection A nor any record made available for public inspection under subsection B shall contain any of the following information: (i) an individual's social security number, or any part thereof; (ii) the residence address of an individual who has furnished a post office box address in lieu of his residence address as authorized by subsection B of § 24.2-418; (iii) the declination by an individual to register to vote and related records; (iv) the identity of a voter registration agency through which a particular voter is registered; or (v) the day and month of birth of an individual. No voter registration records other than the lists provided by the Department under subsection A and the records made available under subsection B shall be open to public inspection.

§ 24.2-703.1. Permanent absentee voter list.

A. Any registered voter shall be eligible to file a special application to receive absentee ballots for all elections in which he is eligible to vote. Such application shall be on a form approved by the State Board. The absentee ballots sent to a voter on the permanent absentee voter list shall be sent to the address in the voter's registration record, except as provided in subdivision C 1.

B. In accordance with procedures established by the State Board, the general registrar shall retain the application, enroll the applicant on a permanent absentee voter list, and process the applicant's request for an absentee ballot for each succeeding election. The applicant shall specify by party designation the primary ballots he is requesting.

C. The State Board shall prescribe the process by which a voter on the permanent absentee voter list may:

1. Request that his absentee ballot for (i) a single election or (ii) a primary election and the following general election be sent to an address other than the address on his voter registration record.

2. Request a primary ballot for a political party other than the one he specified on his application for permanent absentee voter status for a single primary election.

3. Change his political party selection for all succeeding primary elections.

D. A voter shall be removed from the permanent absentee voter list if (i) the voter requests in writing to be removed from the list, (ii) the voter's registration is canceled pursuant to § 24.2-427, (iii) the voter's registration is placed on inactive status pursuant to ~~§ 24.2-428 or 24.2-428.1~~ § 24.2-410.4 or 24.2-410.5, or (iv) the voter moves to a different address not in the same county or city of his registration.

2. That §§ 24.2-404.3, 24.2-404.4, 24.2-410.2, 24.2-428, 24.2-428.1, and 24.2-428.2 of the Code of Virginia are repealed.