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SENATE BILL NO. 406

Offered January 10, 2024

Prefiled January 9, 2024

A *BILL to amend and reenact § 24.2-622 of the Code of Virginia, relating to elections; conduct of elections; unofficial sample ballots.*

Patron—Durant

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:

1. That § 24.2-622 of the Code of Virginia is amended and reenacted as follows:

§ 24.2-622. Unofficial sample ballots.

Sample ballots not authorized by electoral boards and provided by electoral boards or general registrars to precincts pursuant to § 24.2-641 are permitted to be printed and circulated, which includes publication in newspapers or on the Internet.

~~Such~~ *However, it shall be unlawful for any person to print or circulate any such unofficial sample ballots unless the following requirements are met:*

1. *They shall not be printed on white paper and.*

2. *They shall include on their face the words "sample ballot."*

3. *They shall bear the legend or include the statement: "Paid for by [Name of the sponsor as defined by § 24.2-956.1]."*

4. *They shall state whether they are authorized by a political party by bearing the legend or include the statement "Authorized by [Name of political party]" or "Not authorized by a political party."*

5. *Any disclosure statement required by this section shall be displayed in a conspicuous manner in a font size no smaller than 24 point.*

~~All sample ballots, excepting those official sample ballots authorized by electoral boards and provided by electoral boards or general registrars to precincts pursuant to § 24.2-641, are advertisements for purposes of Chapter 9.5 (§ 24.2-955 et seq.).~~ Voters may take sample ballots into the voting booth or enclosure, but shall not give, tender, or exhibit such sample ballot to any person, other than an assistant designated under § 24.2-649, while inside the polling place or within the prohibited area designated by § 24.2-604.

The penalty for a violation of this section shall be as provided in subsection C of § 24.2-955.3. Any voter of the election district in which an alleged violation of this section occurred may seek an injunction against further violations.

INTRODUCED

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