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**HOUSE BILL NO. 2434**

Offered January 13, 2025

Prefiled January 8, 2025

A *BILL to amend and reenact §§ 24.2-404, 24.2-411.3, 24.2-643, 24.2-653, 24.2-653.01, 24.2-701, and 24.2-701.1 of the Code of Virginia, relating to elections; voter identification; identification containing a photograph required.*

Patrons—Griffin, Arnold, Ballard, Campbell, Cherry, Cordoza, Ennis, Freitas, Gilbert, Green, Higgins, Hodges, Lovejoy, Milde, Obenshain, Orrock, Phillips, Runion, Scott, P.A., Tata, Walker, Ware, Webert, Williams, Wilt, Wright, Wyatt, Zehr, Earley, Fowler, Garrett and Owen

Referred to Committee on Privileges and Elections

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

**1. That §§ 24.2-404, 24.2-411.3, 24.2-643, 24.2-653, 24.2-653.01, 24.2-701, and 24.2-701.1 of the Code of Virginia are amended and reenacted as follows:**

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

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

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

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

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

3. Provide to each general registrar (i) voter confirmation documents for newly registered voters, including voters who were automatically registered pursuant to subdivision 1, and for notice to registered voters on the system of changes and corrections in their registration records and polling places and (ii) voter photo identification cards containing the voter's photograph and signature for free for those voters who do not have one of the forms of identification specified in subsection B of § 24.2-643. The Department shall promulgate rules and regulations authorizing each general registrar to obtain a photograph and signature of a voter who does not have one of the forms of identification specified in subsection B of § 24.2-643 for the purpose of providing such voter a voter photo identification card containing the voter's photograph and signature. The Department shall provide each general registrar with the equipment necessary to obtain a voter's signature and photograph, and no general registrar shall be required to purchase such equipment at his own expense. Photographs and signatures obtained by a general registrar shall be submitted to the Department. The Department may contract with an outside vendor for the production and distribution of voter photo identification cards.

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 on the system for four years a separate record for registered voters whose names have been deleted, with the reason for deletion.

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

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58 county or city. If electronic pollbooks are used in the locality or electronic voter registration inquiry devices  
 59 are used in precincts in the locality, the Department shall provide a regional or statewide list of registered  
 60 voters to the general registrar of the locality. The Department shall determine whether regional or statewide  
 61 data is provided. Neither the pollbook nor the regional or statewide list of registered voters shall include the  
 62 day and month of birth of the voter, but shall include the voter's year of birth.

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

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

69 10. Cooperate with other states and jurisdictions to develop systems to compare voters, voter history, and  
 70 voter registration lists to ensure the accuracy of the voter registration rolls, to identify voters whose addresses  
 71 have changed, to prevent duplication of registration in more than one state or jurisdiction, and to determine  
 72 eligibility of individuals to vote in Virginia.

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

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

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

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

85 E. The Department shall apply to participate in the Systematic Alien Verification for Entitlements  
 86 Program (SAVE Program) operated by U.S. Citizenship and Immigration Services of the U.S. Department of  
 87 Homeland Security for the purposes of verifying that voters listed in the Virginia voter registration system are  
 88 United States citizens. Upon approval of the application, the Department shall enter into any required  
 89 memorandum of agreement with U.S. Citizenship and Immigration Services. The State Board shall  
 90 promulgate rules and regulations governing the use of the immigration status and citizenship status  
 91 information received from the SAVE Program.

92 F. The Department shall report annually by October 1 for the preceding 12 months ending August 31 to  
 93 the Committees on Privileges and Elections on each of its activities undertaken to maintain the Virginia voter  
 94 registration system and the results of those activities. The Department's report shall be governed by the  
 95 provisions of § 2.2-608 and shall encompass activities undertaken pursuant to subdivisions A 9 and 10 and  
 96 subsection E and pursuant to §§ 24.2-404.3, 24.2-404.4, 24.2-408, 24.2-409, 24.2-409.1, 24.2-410,  
 97 24.2-410.1, 24.2-427, and 24.2-428. This report shall contain the methodology used in gathering and  
 98 analyzing the data. The Commissioner of Elections shall certify that the data included in the report is accurate  
 99 and reliable.

100 **§ 24.2-411.3. Registration of Department of Motor Vehicles customers.**

101 A. Each person coming into an office of the Department of Motor Vehicles or accessing its website in  
 102 order to (i) apply for, replace, or renew a driver's license or other document issued under Chapter 3 (§  
 103 46.2-300 et seq.) of Title 46.2 except driver privilege cards or permits issued pursuant to § 46.2-328.3 or  
 104 identification privilege cards issued pursuant to § 46.2-345.3; or (ii) change an address on an existing driver's  
 105 license or other document issued under Chapter 3 (§ 46.2-300 et seq.) of Title 46.2 except driver privilege  
 106 cards or permits issued pursuant to § 46.2-328.3 or identification privilege cards issued pursuant to §  
 107 46.2-345.3 shall be presented with (a) a question asking whether or not the person is a United States citizen  
 108 and (b) the option to decline to have his information transmitted to the Department of Elections for voter  
 109 registration purposes. The citizenship question and option to decline shall be accompanied by a statement that  
 110 intentionally making a materially false statement during the transaction constitutes election fraud and is  
 111 punishable under Virginia law as a felony.

112 The Department of Motor Vehicles may not transmit the information of any person who so declines. The  
 113 Department of Motor Vehicles may not transmit the information of any person who indicates that he is not a  
 114 United States citizen, nor may such person be asked any additional questions relevant to voter registration but  
 115 not relevant to the purpose for which the person came to an office of the Department of Motor Vehicles or  
 116 accessed its website.

117 B. For each person who does not select the option to decline to have his information transmitted to the  
 118 Department of Elections for voter registration purposes and who has identified himself as a United States

119 citizen, the Department of Motor Vehicles shall request any information as may be required by the State  
120 Board to ensure that the person meets all voter registration eligibility requirements.

121 C. The Department of Motor Vehicles shall electronically transmit to the Department of Elections, in  
122 accordance with the standards set by the State Board, the information collected pursuant to subsection B for  
123 any person who (i) has indicated that he is a United States citizen, (ii) has indicated that he is 17 years of age  
124 or older, and (iii) at the time of such transaction did not decline to have his information transmitted to the  
125 Department of Elections for voter registration purposes.

126 D. The Department of Elections shall use the information transmitted to determine whether a person  
127 already has a registration record in the voter registration system.

128 1. For any person who does not yet have a registration record in the voter registration system, the  
129 Department of Elections shall transmit the information to the appropriate general registrar. The general  
130 registrar shall accept or reject the registration of such person in accordance with the provisions of this  
131 chapter.

132 2. For any person who already has a registration record in the voter registration system, if the information  
133 indicates that the voter has moved within the Commonwealth, the Department of Elections shall transmit the  
134 information and the registration record to the appropriate general registrar, who shall treat such transmittal as  
135 a request for transfer and process it in accordance with the provisions of this chapter.

136 3. General registrars shall not register any person who does not satisfy all voter eligibility requirements.

137 E. *The Department of Motor Vehicles shall provide assistance as required in providing voter photo*  
138 *identification cards in accordance with subdivision A 3 of § 24.2-404.*

139 **§ 24.2-643. Qualified voter permitted to vote; procedures at polling place; voter identification.**

140 A. After the polls are open, each qualified voter at a precinct shall be permitted to vote. The officers of  
141 election shall ascertain that a person offering to vote is a qualified voter before admitting him to the voting  
142 booth and furnishing an official ballot to him.

143 B. An officer of election shall ask the voter for his full name and current residence address and the voter  
144 may give such information orally or in writing. The officer of election shall verify with the voter his full  
145 name and address and shall repeat, in a voice audible to party and candidate representatives present, the full  
146 name provided by the voter. The officer shall ask the voter to present any one of the following forms of  
147 identification: (i) ~~his voter confirmation documents;~~ (ii) his valid Virginia driver's license, his valid United  
148 States passport, or any other identification issued by the Commonwealth, one of its political subdivisions, or  
149 the United States, other than a driver privilege card issued under § 46.2-328.3 or an identification privilege  
150 card issued under § 46.2-345.3; (iii) ~~(ii)~~ any valid student identification card *containing a photograph of the*  
151 *voter and* issued by any institution of higher education located in the Commonwealth or any private school  
152 located in the Commonwealth; (iv) ~~(iii)~~ any valid student identification card containing a photograph of the  
153 voter and issued by any institution of higher education located in any other state or territory of the United  
154 States; (v) ~~(iv)~~ or (iv) any valid employee identification card containing a photograph of the voter and issued by  
155 an employer of the voter in the ordinary course of the employer's business; ~~or (vi) a copy of a current utility~~  
156 ~~bill, bank statement, government check, paycheck, or other government document containing the name and~~  
157 ~~address of the voter.~~ The expiration date on a Virginia driver's license shall not be considered when  
158 determining the validity of the driver's license offered for purposes of this section.

159 ~~Except as provided in subsection E, any~~ Any voter who does not show one of the forms of identification  
160 specified in this subsection ~~shall be allowed to vote after signing a statement, subject to felony penalties for~~  
161 ~~false statements pursuant to § 24.2-1016, that he is the named registered voter he claims to be. A voter who~~  
162 ~~requires assistance in voting by reason of a physical disability or an inability to read or write, and who~~  
163 ~~requests assistance pursuant to § 24.2-649, may be assisted in preparation of this statement in accordance~~  
164 ~~with that section. The provisions of § 24.2-649 regarding voters who are unable to sign shall be followed~~  
165 ~~when assisting a voter in completing this statement. A voter who does not show one of the forms of~~  
166 ~~identification specified in this subsection and does not sign this statement shall be offered a provisional ballot~~  
167 ~~under the provisions of § 24.2-653. The State Board of Elections shall provide an ID-ONLY provisional~~  
168 ~~ballot envelope that requires no follow-up action by the registrar or electoral board other than matching~~  
169 ~~submitted identification documents from the voter for the electoral board to make a determination on whether~~  
170 ~~to count the ballot.~~

171 If the voter presents one of the forms of identification listed above, if his name is found on the pollbook in  
172 a form identical to or substantially similar to the name on the presented form of identification and the name  
173 provided by the voter, if he is qualified to vote in the election, and if no objection is made, (a) an officer shall  
174 enter, opposite the voter's name on the pollbook, the first or next consecutive number from the voter count  
175 form provided by the State Board, or shall enter that the voter has voted if the pollbook is in electronic form;  
176 (b) an officer shall provide the voter with the official ballot; and (c) another officer shall admit him to the  
177 voting booth. Each voter whose name has been marked on the pollbooks as present to vote and entitled to a  
178 ballot shall remain in the presence of the officers of election in the polling place until he has voted. If a line of  
179 voters who have been marked on the pollbooks as present to vote forms to await entry to the voting booths,

180 the line shall not be permitted to extend outside of the room containing the voting booths and shall remain  
 181 under observation by the officers of election.

182 A voter may be accompanied into the voting booth by his child age 15 or younger.

183 C. If the current residence address provided by the voter is different from the address shown on the  
 184 pollbook, the officer of election shall furnish the voter with a change of address form prescribed by the State  
 185 Board. Upon its completion, the voter shall sign the prescribed form, subject to felony penalties for making  
 186 false statements pursuant to § 24.2-1016, which the officer of election shall then place in an envelope  
 187 provided for such forms for transmission to the general registrar who shall then transfer or cancel the  
 188 registration of such voter pursuant to Chapter 4 (§ 24.2-400 et seq.).

189 D. At the time the voter is asked his full name and current residence address, the officer of election shall  
 190 ask any voter for whom the pollbook indicates that an identification number other than a social security  
 191 number is recorded on the Virginia voter registration system if he presently has a social security number. If  
 192 the voter is able to provide his social security number, he shall be furnished with a voter registration form  
 193 prescribed by the State Board to update his registration information. Upon its completion, the form shall be  
 194 placed by the officer of election in an envelope provided for such forms for transmission to the general  
 195 registrar. Any social security numbers so provided shall be entered by the general registrar in the voter's  
 196 record on the voter registration system.

197 E. ~~This subsection shall apply in the case of any individual who is required by subparagraph (b) of 52~~  
 198 ~~U.S.C. § 21083 of the Help America Vote Act of 2002 to show identification the first time he votes in a~~  
 199 ~~federal election in the state. At such election, such individual shall present (i) a current and valid photo~~  
 200 ~~identification or (ii) a copy of a current utility bill, bank statement, government check, paycheck, or other~~  
 201 ~~government document that shows the name and address of the voter. Such individual who desires to vote in~~  
 202 ~~person but does not show one of the forms of identification specified in this subsection shall be offered a~~  
 203 ~~provisional ballot under the provisions of § 24.2-653. The identification requirements of subsection B of this~~  
 204 ~~section and subsection A of § 24.2-653 shall not apply to such voter at such election. The Department of~~  
 205 ~~Elections shall provide instructions to the electoral boards for the handling and counting of such provisional~~  
 206 ~~ballots pursuant to subsection B of § 24.2-653 and this section.~~

207 **§ 24.2-653. Provisional voting; procedures in polling place.**

208 A. Any person voting provisionally pursuant to subsection B of § 24.2-643, § 24.2-651.1, subsection B of  
 209 § 24.2-652, or § 24.2-653.1 or 24.2-653.2 shall be given a printed ballot and provide, subject to the penalties  
 210 for making false statements pursuant to § 24.2-1016, on a green envelope supplied by the Department of  
 211 Elections, the identifying information required on the envelope, including the last four digits of his social  
 212 security number, if any, full name including the maiden or any other prior legal name, date of birth, complete  
 213 address, and signature. Such person shall be asked to present one of the forms of identification specified in  
 214 subsection B of § 24.2-643. ~~If he is unable to present one of these forms of identification, he shall sign a~~  
 215 ~~statement, subject to felony penalties for false statements pursuant to § 24.2-1016, that he is the named~~  
 216 ~~registered voter he claims to be. The officers of election shall note on the green envelope whether or not the~~  
 217 ~~voter has presented one of the specified forms of identification or signed the required statement in lieu of~~  
 218 ~~presenting one of the specified forms of identification. The officers of election shall enter the appropriate~~  
 219 ~~information for the person in the precinct provisional ballots log in accordance with the instructions of the~~  
 220 ~~State Board but shall not enter a consecutive number for the voter on the pollbook nor otherwise mark his~~  
 221 ~~name as having voted.~~

222 The voter shall then, in the presence of an officer of election, but in a secret manner, mark the printed  
 223 ballot as provided in § 24.2-644 and seal it in the green envelope. The envelope containing the ballot shall  
 224 then promptly be placed in the ballot container by an officer of election.

225 B. An officer of election, by a written notice given to the voter, shall inform him that a determination of  
 226 his right to vote shall be made by the electoral board and advise the voter of the beginning time and place for  
 227 the board's meeting and of the voter's right to be present at that meeting. If the voter is voting provisionally as  
 228 required by § 24.2-643, an officer of election, by written notice given to the voter, shall also inform him that  
 229 he may submit a copy of one of the forms of identification specified in subsection B of § 24.2-643 ~~or a~~  
 230 ~~statement, signed by him subject to felony penalties for false statements pursuant to § 24.2-1016, that he is~~  
 231 ~~the named registered voter he claims to be to the electoral board by facsimile, electronic mail, in-person~~  
 232 ~~submission, or timely United States Postal Service or commercial mail delivery, to be received by the~~  
 233 ~~electoral board no later than noon on the third day after the election.~~

234 C. The provisional votes submitted pursuant to subsection A, in their unopened envelopes, shall be sealed  
 235 in a special envelope marked "Provisional Votes," inscribed with the number of envelopes contained therein,  
 236 and signed by the officers of election who counted them. All provisional votes envelopes shall be delivered  
 237 either (i) to the clerk of the circuit court who shall deliver all such envelopes to the secretary of the electoral  
 238 board or (ii) to the general registrar in localities in which the electoral board has directed delivery of election  
 239 materials to the general registrar pursuant to § 24.2-668.

240 **§ 24.2-653.01. Provisional ballots; electoral boards to make determination as to validity.**

241 A. The electoral board shall meet on the day following the election and determine whether each person

242 having submitted a provisional vote pursuant to § 24.2-653 was entitled to do so as a qualified voter in the  
 243 precinct in which he offered the provisional vote. In the case of persons voting provisionally pursuant to §  
 244 24.2-653.3, the electoral board shall determine of which district the person is a qualified voter. At the  
 245 meeting, the voter may request an extension of the determination of the provisional vote in order to provide  
 246 information to prove that the voter is entitled to vote in the precinct pursuant to § 24.2-401. The electoral  
 247 board shall have the authority to grant such extensions that it deems reasonable to determine the status of a  
 248 provisional vote.

249 If the board is unable to determine the validity of all the provisional ballots offered in the election, or has  
 250 granted any voter who has offered a provisional ballot an extension, the meeting shall stand adjourned, not to  
 251 exceed 10 calendar days from the date of the election, until the board has determined the validity of all  
 252 provisional ballots offered in the election.

253 B. The electoral board shall permit one authorized representative of each political party or independent  
 254 candidate in a general or special election or one authorized representative of each candidate in a primary  
 255 election to remain in the room in which the determination is being made as an observer so long as he does not  
 256 participate in the proceedings and does not impede the orderly conduct of the determination. Each authorized  
 257 representative shall be a qualified voter of any jurisdiction of the Commonwealth. Each representative, who is  
 258 not himself a candidate or party chairman, shall present to the electoral board a written statement designating  
 259 him to be a representative of the party or candidate and signed by the county or city chairman of his political  
 260 party, the independent candidate, or the primary candidate, as appropriate. If the county or city chairman is  
 261 unavailable to sign such a written designation, such a designation may be made by the state or district  
 262 chairman of the political party. However, no written designation made by a state or district chairman shall  
 263 take precedence over a written designation made by the county or city chairman. Such statement, bearing the  
 264 chairman's or candidate's original signature, may be photocopied and such photocopy shall be as valid as if  
 265 the copy had been signed.

266 Notwithstanding the provisions of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.),  
 267 attendance at meetings of the electoral board to determine the validity of provisional ballots shall be  
 268 permitted only for the authorized representatives provided for in this subsection, for the persons whose  
 269 provisional votes are being considered and their representative or legal counsel, and for appropriate staff and  
 270 legal counsel for the electoral board.

271 C. If the electoral board determines that such person was not entitled to vote as a qualified voter in the  
 272 precinct or district in which he offered the provisional vote, is unable to determine his right to vote, or has not  
 273 been provided one of the forms of identification specified in subsection B of § 24.2-643; ~~or the signed~~  
 274 ~~statement that the voter is the named registered voter he claims to be~~, the envelope containing his ballot shall  
 275 not be opened and his vote shall not be counted. The general registrar shall notify in writing pursuant to §  
 276 24.2-114 those persons found not properly registered or whose provisional vote was not counted.

277 The provisional vote shall be counted if (i) such person is entitled to vote in the precinct pursuant to §  
 278 24.2-401 or (ii) the Department of Elections or the voter presents proof that indicates the voter submitted an  
 279 application for registration to a state-designated voter registration agency or the voter's information was  
 280 transmitted by the Department of Motor Vehicles to the Department of Elections pursuant to § 24.2-411.3  
 281 prior to the close of registration pursuant to § 24.2-416 and the registrar determines that the person was  
 282 qualified for registration based upon the application for registration submitted by the person pursuant to  
 283 subsection B of § 24.2-652.

284 If the electoral board determines that such person was entitled to vote, the name of the voter shall be  
 285 entered in a provisional votes pollbook and marked as having voted, the envelope shall be opened, and the  
 286 ballot shall be placed in a ballot container without any inspection further than that provided for in § 24.2-646.

287 D. On completion of its determination, the electoral board shall proceed to count such ballots and certify  
 288 the results of its count. Its certified results shall be added to those found pursuant to § 24.2-671. No  
 289 adjustment shall be made to the statement of results for the precinct in which the person offered to vote.  
 290 However, any voter who cast a provisional ballot and is determined by the electoral board to have been  
 291 entitled to vote shall have his name included on the list of persons who voted that is submitted to the  
 292 Department of Elections pursuant to § 24.2-406.

293 E. The certification of the results of the count together with all ballots and envelopes, whether open or  
 294 unopened, and other related material shall be delivered by the electoral board to the clerk of the circuit court  
 295 and retained by him as provided for in §§ 24.2-668 and 24.2-669.

296 **§ 24.2-701. Application for absentee ballot.**

297 A. The Department shall furnish each general registrar with a sufficient number of applications for official  
 298 absentee ballots. The registrars shall furnish applications to persons requesting them.

299 The Department shall implement a system that enables eligible persons to request and receive an absentee  
 300 ballot application electronically through the Internet. Electronic absentee ballot applications shall be in a form  
 301 approved by the State Board.

302 Except as provided in § 24.2-703 or 24.2-703.1, a separate application shall be completed for each

303 election in which the applicant offers to vote. An application for an absentee ballot may be accepted the later  
 304 of (i) 12 months before an election or (ii) the day following any election held in the twelfth month prior to the  
 305 election in which the applicant is applying to vote.

306 An application that is completed in person at the same time that the applicant registers to vote shall be  
 307 held and processed no sooner than the fifth day after the date that the applicant registered to vote; however,  
 308 this requirement shall not be applicable to any covered voter, as defined in § 24.2-452.

309 Any application received before the ballots are printed shall be held and processed as soon as the printed  
 310 ballots for the election are available.

311 For the purposes of this chapter, the general registrar's office shall be open a minimum of eight hours  
 312 between the hours of 8:00 a.m. and 5:00 p.m. on the first and second Saturday immediately preceding all  
 313 elections.

314 Unless the applicant is disabled, all applications for absentee ballots shall be signed by the applicant who  
 315 shall state, subject to felony penalties for making false statements pursuant to § 24.2-1016, that to the best of  
 316 his knowledge and belief the facts contained in the application are true and correct and that he has not and  
 317 will not vote in the election at any other place in Virginia or in any other state. If the applicant is unable to  
 318 sign the application, a person assisting the applicant will note this fact on the applicant signature line and  
 319 provide his signature, name, and address.

320 B. Applications for absentee ballots shall be completed in the following manner:

321 1. An application completed in person shall be completed only in the office of the general registrar and  
 322 signed by the applicant in the presence of a registrar. The applicant shall provide one of the forms of  
 323 identification specified in subsection B of § 24.2-643; ~~or if he is unable to present one of the specified forms~~  
 324 ~~of identification listed in that subsection, he shall sign a statement, subject to felony penalties for making~~  
 325 ~~false statements pursuant to § 24.2-1016, that he is the named registered voter he claims to be. An applicant~~  
 326 ~~who requires assistance in voting by reason of a physical disability or an inability to read or write, and who~~  
 327 ~~requests assistance pursuant to § 24.2-649, may be assisted in preparation of this statement in accordance~~  
 328 ~~with that section. The provisions of § 24.2-649 regarding voters who are unable to sign shall be followed~~  
 329 ~~when assisting a voter in completing this statement. Any applicant who does not show one of the forms of~~  
 330 ~~identification specified in subsection B of § 24.2-643 or does not sign this statement shall be offered a~~  
 331 ~~provisional ballot under the provisions of § 24.2-653. The State Board of Elections shall provide instructions~~  
 332 ~~to the general registrar for the handling and counting of such provisional ballots pursuant to § 24.2-653.01~~  
 333 ~~and this section.~~

334 This paragraph shall apply in the case of any individual who is required by subparagraph (b) of 52 U.S.C.  
 335 § 21083 of the Help America Vote Act of 2002 to show identification the first time he votes in a federal  
 336 election in the state. At such election, such individual shall present (i) a current and valid photo identification  
 337 or (ii) a copy of a current utility bill, bank statement, government check, paycheck, or other government  
 338 document that shows the name and address of the voter. Such individual who desires to vote in person but  
 339 does not show one of the forms of identification specified in this paragraph shall be offered a provisional  
 340 ballot under the provisions of § 24.2-653. The identification requirements of subsection B of § 24.2-643 and  
 341 subsection A of § 24.2-653 shall not apply to such voter at such election. The Department of Elections shall  
 342 provide instructions to the electoral boards for the handling and counting of such provisional ballots pursuant  
 343 to § 24.2-653.01 and this section.

344 2. Any other application may be made by mail, by electronic or telephonic transmission to a facsimile  
 345 device if one is available to the office of the general registrar or to the office of the Department if a device is  
 346 not available locally, or by other means. The application shall be on a form furnished by the registrar or as  
 347 specified in subdivision 3. The application shall be made to the appropriate registrar no later than 5:00 p.m.  
 348 on the eleventh day prior to the election in which the applicant offers to vote.

349 3. The application of any covered voter, as defined in § 24.2-452, may be on a federal postcard  
 350 application, as defined in § 24.2-452. The federal postcard application may be accepted the later of (i) 12  
 351 months before an election or (ii) the day following any election held in the twelfth month prior to the election  
 352 in which the applicant is applying to vote.

353 C. Applications for absentee ballots shall contain the following information:

354 1. The applicant's printed name and the last four digits of the applicant's social security number. However,  
 355 an applicant completing the application in person shall not be required to provide the last four digits of his  
 356 social security number;

357 2. A statement that he is registered in the county or city in which he offers to vote and his residence  
 358 address in such county or city. Any person temporarily residing outside the United States shall provide the  
 359 last date of residency at his Virginia residence address, if that residence is no longer available to him. Any  
 360 covered voter, as defined in § 24.2-452, who is not a registered voter may file the applications to register and  
 361 for a ballot simultaneously; and

362 3. The complete address to which the ballot is to be sent directly to the applicant, unless the application is  
 363 made in person at a time when the printed ballots for the election are available and the applicant chooses to

364 vote in person at the time of completing his application. The address given shall be (i) the address of the  
365 applicant on file in the registration records; (ii) the address at which he will be located while absent from his  
366 county or city; or (iii) the address at which he will be located while temporarily confined while awaiting trial  
367 or for a misdemeanor conviction or due to a disability or illness. No ballot shall be sent to, or in care of, any  
368 other person.

369 D. An application shall not be required for any registered voter appearing in person to cast an absentee  
370 ballot pursuant to § 24.2-701.1.

371 **§ 24.2-701.1. Absentee voting in person.**

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

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

381 ~~Except as provided in subsection F, a~~ A registered voter voting by absentee ballot in person shall provide  
382 one of the forms of identification specified in subsection B of § 24.2-643. If he does not show one of the  
383 forms of identification specified in subsection B of § 24.2-643, he shall be ~~allowed to vote after signing a~~  
384 ~~statement, subject to felony penalties for false statements pursuant to § 24.2-1016, that he is the named~~  
385 ~~registered voter he claims to be. A voter who requires assistance in voting by reason of a physical disability~~  
386 ~~or an inability to read or write, and who requests assistance pursuant to § 24.2-649, may be assisted in~~  
387 ~~preparation of this statement in accordance with that section. The provisions of § 24.2-649 regarding voters~~  
388 ~~who are unable to sign shall be followed when assisting a voter in completing this statement. A voter who~~  
389 ~~does not show one of the forms of identification specified in this subsection or does not sign this statement~~  
390 ~~shall be offered a provisional ballot under the provisions of § 24.2-653. The State Board shall provide~~  
391 ~~instructions to the general registrar for the handling and counting of such provisional ballots pursuant to §~~  
392 ~~24.2-653.01 and this section.~~

393 B. Absentee voting in person shall be available during regular business hours. The electoral board of each  
394 county and city shall provide for absentee voting in person in the office of the general registrar or a voter  
395 satellite office established pursuant to § 24.2-701.2. For purposes of this chapter, such offices shall be open to  
396 the public a minimum of eight hours between the hours of 8:00 a.m. and 5:00 p.m. on the first and second  
397 Saturday immediately preceding all elections. The electoral board or general registrar may provide for  
398 absentee voting in person in such offices on Sundays. Any applicant who is in line to cast his ballot when the  
399 office of the general registrar or voter satellite office closes shall be permitted to cast his absentee ballot that  
400 day.

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

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

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

413 ~~F. This subsection shall apply in the ease of any individual who is required by subparagraph (b) of 52~~  
414 ~~U.S.C. § 21083 of the Help America Vote Act of 2002 to show identification the first time he votes in a~~  
415 ~~federal election in the state. At such election, such individual shall present (i) a current and valid photo~~  
416 ~~identification or (ii) a copy of a current utility bill, bank statement, government check, paycheck, or other~~  
417 ~~government document that shows the name and address of the voter. Such individual who desires to vote in~~  
418 ~~person but who does not show one of the forms of identification specified in this subsection shall be offered a~~  
419 ~~provisional ballot under the provisions of § 24.2-653. The identification requirements of subsection B of §~~  
420 ~~24.2-643 and subsection A of § 24.2-653 shall not apply to such voter at such election. The Department of~~  
421 ~~Elections shall provide instructions to the electoral boards for the handling and counting of such provisional~~  
422 ~~ballots pursuant to § 24.2-653.01 and this section.~~