

2026 SESSION

INTRODUCED

26103686D

1 **HOUSE BILL NO. 1213**

2 Offered January 14, 2026

3 Prefiled January 14, 2026

4 *A BILL to amend and reenact §§ 24.2-643 and 24.2-701.1 of the Code of Virginia, relating to elections;*
5 *conduct of election; affirmation statement in lieu of identification; additional information required.*

6 Patron—Oates

7 Committee Referral Pending

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

9 **1. That §§ 24.2-643 and 24.2-701.1 of the Code of Virginia are amended and reenacted as follows:**

10 **§ 24.2-643. Qualified voter permitted to vote; procedures at polling place; voter identification.**

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

14 B. An officer of election shall ask the voter for his full name and current residence address and the voter
15 may give such information orally or in writing. The officer of election shall verify with the voter his full
16 name and address and shall repeat, in a voice audible to party and candidate representatives present, the full
17 name provided by the voter. The officer shall ask the voter to present any one of the following forms of
18 identification: (i) his voter confirmation documents; (ii) his valid Virginia driver's license, his valid United
19 States passport, or any other identification issued by the Commonwealth, one of its political subdivisions, or
20 the United States, other than a driver privilege card issued under § 46.2-328.3 or an identification privilege
21 card issued under § 46.2-345.3; (iii) any valid student identification card issued by any institution of higher
22 education located in the Commonwealth or any private school located in the Commonwealth; (iv) any valid
23 student identification card containing a photograph of the voter and issued by any institution of higher
24 education located in any other state or territory of the United States; (v) any valid employee identification
25 card containing a photograph of the voter and issued by an employer of the voter in the ordinary course of the
26 employer's business; or (vi) a copy of a current utility bill, bank statement, government check, paycheck, or
27 other government document containing the name and address of the voter. The expiration date on a Virginia
28 driver's license shall not be considered when determining the validity of the driver's license offered for
29 purposes of this section.

30 Except as provided in subsection E, any voter who does not show one of the forms of identification
31 specified in this subsection shall be allowed to vote after signing a statement, subject to felony penalties for
32 false statements pursuant to § 24.2-1016, that he is the named registered voter he claims to be *and providing*
33 *his full name, year of birth, and the last four digits of his social security number, if any. The form containing*
34 *the statement and voter information shall be retained as election materials.* A voter who requires assistance
35 in voting by reason of a physical disability or an inability to read or write, and who requests assistance
36 pursuant to § 24.2-649, may be assisted in preparation of this statement in accordance with that section. The
37 provisions of § 24.2-649 regarding voters who are unable to sign shall be followed when assisting a voter in
38 completing this statement. A voter who does not show one of the forms of identification specified in this
39 subsection and does not sign this statement shall be offered a provisional ballot under the provisions of
40 § 24.2-653. The State Board of Elections shall provide an ID-ONLY provisional ballot envelope that requires
41 no follow-up action by the registrar or electoral board other than matching submitted identification
42 documents from the voter for the electoral board to make a determination on whether to count the ballot.

43 If the voter presents one of the forms of identification listed above, if his name is found on the pollbook in
44 a form identical to or substantially similar to the name on the presented form of identification and the name
45 provided by the voter, if he is qualified to vote in the election, and if no objection is made, an officer shall
46 enter, opposite the voter's name on the pollbook, the first or next consecutive number from the voter count
47 form provided by the State Board, or shall enter that the voter has voted if the pollbook is in electronic form;
48 an officer shall provide the voter with the official ballot; and another officer shall admit him to the voting
49 booth. Each voter whose name has been marked on the pollbooks as present to vote and entitled to a ballot
50 shall remain in the presence of the officers of election in the polling place until he has voted. If a line of
51 voters who have been marked on the pollbooks as present to vote forms to await entry to the voting booths,
52 the line shall not be permitted to extend outside of the room containing the voting booths and shall remain
53 under observation by the officers of election.

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

55 C. If the current residence address provided by the voter is different from the address shown on the
56 pollbook, the officer of election shall furnish the voter with a change of address form prescribed by the State

INTRODUCED

HB1213

59 Board. Upon its completion, the voter shall sign the prescribed form, subject to felony penalties for making
60 false statements pursuant to § 24.2-1016, which the officer of election shall then place in an envelope
61 provided for such forms for transmission to the general registrar who shall then transfer or cancel the
62 registration of such voter pursuant to Chapter 4 (§ 24.2-400 et seq.).

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

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

81 **§ 24.2-701.1. Absentee voting in person.**

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

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

91 Except as provided in subsection F, a registered voter voting by absentee ballot in person shall provide
92 one of the forms of identification specified in subsection B of § 24.2-643. If he does not show one of the
93 forms of identification specified in subsection B of § 24.2-643, he shall be allowed to vote after signing a
94 statement, subject to felony penalties for false statements pursuant to § 24.2-1016, that he is the named
95 registered voter he claims to be *and providing his full name, year of birth, and the last four digits of his social*
96 *security number, if any. The form containing the statement and voter information shall be retained as election*
97 *materials.* A voter who requires assistance in voting by reason of a physical disability or an inability to read
98 or write, and who requests assistance pursuant to § 24.2-649, may be assisted in preparation of this statement
99 in accordance with that section. The provisions of § 24.2-649 regarding voters who are unable to sign shall be
100 followed when assisting a voter in completing this statement. A voter who does not show one of the forms of
101 identification specified in this subsection or does not sign this statement shall be offered a provisional ballot
102 under the provisions of § 24.2-653. The State Board shall provide instructions to the general registrar for the
103 handling and counting of such provisional ballots pursuant to § 24.2-653.01 and this section.

104 B. Absentee voting in person shall be available during regular business hours. The electoral board of each
105 county and city shall provide for absentee voting in person in the office of the general registrar or a voter
106 satellite office established pursuant to § 24.2-701.2. For purposes of this chapter, such offices shall be open to
107 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
108 Saturday immediately preceding all elections. The electoral board or general registrar may provide for
109 absentee voting in person in such offices on Sundays. Any applicant who is in line to cast his ballot when the
110 office of the general registrar or voter satellite office closes shall be permitted to cast his absentee ballot that
111 day.

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

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

121 satellite office and (ii) the general registrar or a deputy registrar is present.

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

124 F. This subsection shall apply in the case of any individual who is required by subparagraph (b) of 52
125 U.S.C. § 21083 of the Help America Vote Act of 2002 to show identification the first time he votes in a
126 federal election in the state. At such election, such individual shall present (i) a current and valid photo
127 identification or (ii) a copy of a current utility bill, bank statement, government check, paycheck, or other
128 government document that shows the name and address of the voter. Such individual who desires to vote in
129 person but who does not show one of the forms of identification specified in this subsection shall be offered a
130 provisional ballot under the provisions of § 24.2-653. The identification requirements of subsection B of
131 § 24.2-643 and subsection A of § 24.2-653 shall not apply to such voter at such election. The Department of
132 Elections shall provide instructions to the electoral boards for the handling and counting of such provisional
133 ballots pursuant to § 24.2-653.01 and this section.

INTRODUCED

HB1213