

# 2026 SESSION

INTRODUCED

26101886D

1 **SENATE BILL NO. 298**

2 Offered January 14, 2026

3 Prefiled January 13, 2026

4 *A BILL to amend and reenact §§ 24.2-701 and 24.2-701.1 of the Code of Virginia, relating to elections;*  
5 *absentee voting in person; available beginning on the tenth day prior to election; hours of operation.*

6 Patron—Peake

7 Referred to Committee on Privileges and Elections

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

9 **1. That §§ 24.2-701 and 24.2-701.1 of the Code of Virginia are amended and reenacted as follows:**

10 **§ 24.2-701. Application for absentee ballot.**

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

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

16 Except as provided in § 24.2-703 or 24.2-703.1, a separate application shall be completed for each  
17 election in which the applicant offers to vote. An application for an absentee ballot may be accepted the later  
18 of (i) 12 months before an election or (ii) the day following any election held in the twelfth month prior to the  
19 election in which the applicant is applying to vote.

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

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

25 For the purposes of this chapter, the general registrar's office shall be open a ~~minimum of eight hours~~  
26 between the hours of 8:00 7:00 a.m. and 5:00 7:00 p.m. on the first and second Saturday immediately  
27 preceding all elections.

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

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

35 1. An application completed in person shall be completed only in the office of the general registrar and  
36 signed by the applicant in the presence of a registrar. The applicant shall provide one of the forms of  
37 identification specified in subsection B of § 24.2-643, or if he is unable to present one of the specified forms  
38 of identification listed in that subsection, he shall sign a statement, subject to felony penalties for making  
39 false statements pursuant to § 24.2-1016, that he is the named registered voter he claims to be. An applicant  
40 who requires assistance in voting by reason of a physical disability or an inability to read or write, and who  
41 requests assistance pursuant to § 24.2-649, may be assisted in preparation of this statement in accordance  
42 with that section. The provisions of § 24.2-649 regarding voters who are unable to sign shall be followed  
43 when assisting a voter in completing this statement. Any applicant who does not show one of the forms of  
44 identification specified in subsection B of § 24.2-643 or does not sign this statement shall be offered a  
45 provisional ballot under the provisions of § 24.2-653. The State Board of Elections shall provide instructions  
46 to the general registrar for the handling and counting of such provisional ballots pursuant to § 24.2-653.01  
47 and this section.

48 This paragraph shall apply in the case of any individual who is required by subparagraph (b) of 52 U.S.C.  
49 § 21083 of the Help America Vote Act of 2002 to show identification the first time he votes in a federal  
50 election in the state. At such election, such individual shall present (i) a current and valid photo identification  
51 or (ii) a copy of a current utility bill, bank statement, government check, paycheck, or other government  
52 document that shows the name and address of the voter. Such individual who desires to vote in person but  
53 does not show one of the forms of identification specified in this paragraph shall be offered a provisional  
54 ballot under the provisions of § 24.2-653. The identification requirements of subsection B of § 24.2-643 and  
55 subsection A of § 24.2-653 shall not apply to such voter at such election. The Department of Elections shall  
56 provide instructions to the electoral boards for the handling and counting of such provisional ballots pursuant  
57 to § 24.2-653.01 and this section.

INTRODUCED

SB298

59 to § 24.2-653.01 and this section.

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

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

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

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

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

78 3. The complete address to which the ballot is to be sent directly to the applicant, unless the application is  
79 made in person at a time when the printed ballots for the election are available and the applicant chooses to  
80 vote in person at the time of completing his application. The address given shall be (i) the address of the  
81 applicant on file in the registration records; (ii) the address at which he will be located while absent from his  
82 county or city; or (iii) the address at which he will be located while temporarily confined while awaiting trial  
83 or for a misdemeanor conviction or due to a disability or illness. No ballot shall be sent to, or in care of, any  
84 other person.

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

87 **§ 24.2-701.1. Absentee voting in person.**

88 A. Absentee voting in person shall be available on the ~~forty-fifth~~ tenth day prior to any election and shall  
89 continue until 5:00 7:00 p.m. on the Saturday immediately preceding the election. In the case of a special  
90 election, excluding for federal offices, if time is insufficient between the issuance of the writ calling for the  
91 special election and the date of the special election, absentee voting in person shall be available as soon as  
92 possible after the issuance of the writ.

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

97 Except as provided in subsection F, a registered voter voting by absentee ballot in person shall provide  
98 one of the forms of identification specified in subsection B of § 24.2-643. If he does not show one of the  
99 forms of identification specified in subsection B of § 24.2-643, he shall be allowed to vote after signing a  
100 statement, subject to felony penalties for false statements pursuant to § 24.2-1016, that he is the named  
101 registered voter he claims to be. A voter who requires assistance in voting by reason of a physical disability  
102 or an inability to read or write, and who requests assistance pursuant to § 24.2-649, may be assisted in  
103 preparation of this statement in accordance with that section. The provisions of § 24.2-649 regarding voters  
104 who are unable to sign shall be followed when assisting a voter in completing this statement. A voter who  
105 does not show one of the forms of identification specified in this subsection or does not sign this statement  
106 shall be offered a provisional ballot under the provisions of § 24.2-653. The State Board shall provide  
107 instructions to the general registrar for the handling and counting of such provisional ballots pursuant to  
108 § 24.2-653.01 and this section.

109 B. Absentee voting in person shall be available ~~during regular business hours Monday through Saturday,~~  
110 ~~beginning at 7:00 a.m. and ending at 7:00 p.m. each day.~~ The electoral board of each county and city shall  
111 provide for absentee voting in person in the office of the general registrar or a voter satellite office established  
112 pursuant to § 24.2-701.2. ~~For purposes of this chapter, such offices shall be open to the public a minimum of~~  
113 ~~eight hours between the hours of 8:00 a.m. and 5:00 p.m. on the first and second Saturday immediately~~  
114 ~~preceding all elections.~~ The electoral board or general registrar may provide for absentee voting in person in  
115 such offices on Sundays. Any applicant who is in line to cast his ballot when the office of the general  
116 registrar or voter satellite office closes shall be permitted to cast his absentee ballot that day.

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

121 all localities using comparable voting systems.

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

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

129 F. This subsection shall apply in the case of any individual who is required by subparagraph (b) of 52  
130 U.S.C. § 21083 of the Help America Vote Act of 2002 to show identification the first time he votes in a  
131 federal election in the state. At such election, such individual shall present (i) a current and valid photo  
132 identification or (ii) a copy of a current utility bill, bank statement, government check, paycheck, or other  
133 government document that shows the name and address of the voter. Such individual who desires to vote in  
134 person but who does not show one of the forms of identification specified in this subsection shall be offered a  
135 provisional ballot under the provisions of § 24.2-653. The identification requirements of subsection B of  
136 § 24.2-643 and subsection A of § 24.2-653 shall not apply to such voter at such election. The Department of  
137 Elections shall provide instructions to the electoral boards for the handling and counting of such provisional  
138 ballots pursuant to § 24.2-653.01 and this section.