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HOUSE BILL NO. 972
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the House Committee on Privileges and Elections
on _____)

(Patron Prior to Substitute—Delegate Price [HB 966])

A *BILL to amend and reenact §§ 2.2-3711, as it is currently effective and as it shall 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, 24.2-610, 24.2-611, 24.2-703.1, and 24.2-709 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; record matches; required identification information; data standards.*

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-3711, as it is currently effective and as it shall 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, 24.2-610, 24.2-611, 24.2-703.1, and 24.2-709 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 July 1, 2026) 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 that 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 counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

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

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HB972H1

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60 consulted on a matter.

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

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

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

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

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

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

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

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

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

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

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

112 20. Discussion by the Board of the Virginia Retirement System, acting pursuant to § 51.1-124.30, or of
113 any local retirement system, acting pursuant to § 51.1-803, or by a local finance board or board of trustees of
114 a trust established by one or more local public bodies to invest funds for postemployment benefits other than
115 pensions, acting pursuant to Article 8 (§ 15.2-1544 et seq.) of Chapter 15 of Title 15.2, or by the board of
116 visitors of the University of Virginia, acting pursuant to § 23.1-2210, or by the Board of the Commonwealth
117 Savers Plan, acting pursuant to § 23.1-706, regarding the acquisition, holding or disposition of a security or
118 other ownership interest in an entity, where such security or ownership interest is not traded on a
119 governmentally regulated securities exchange, to the extent that such discussion (i) concerns confidential
120 analyses prepared for the board of visitors of the University of Virginia, prepared by the retirement system, or
121 a local finance board or board of trustees, or the Commonwealth Savers Plan or provided to the retirement

122 system, a local finance board or board of trustees, or the Commonwealth Savers Plan under a promise of
 123 confidentiality, of the future value of such ownership interest or the future financial performance of the
 124 entity, and (ii) would have an adverse effect on the value of the investment to be acquired, held, or disposed
 125 of by the retirement system, a local finance board or board of trustees, the board of visitors of the University
 126 of Virginia, or the Commonwealth Savers Plan. Nothing in this subdivision shall be construed to prevent the
 127 disclosure of information relating to the identity of any investment held, the amount invested or the present
 128 value of such investment.

129 21. Those portions of meetings in which individual child death cases are discussed by the State Child
 130 Fatality Review Team established pursuant to § 32.1-283.1, those portions of meetings in which individual
 131 child death cases are discussed by a regional or local child fatality review team established pursuant to
 132 § 32.1-283.2, those portions of meetings in which individual death cases are discussed by family violence
 133 fatality review teams established pursuant to § 32.1-283.3, those portions of meetings in which individual
 134 adult death cases are discussed by the state Adult Fatality Review Team established pursuant to § 32.1-283.5,
 135 those portions of meetings in which individual adult death cases are discussed by a local or regional adult
 136 fatality review team established pursuant to § 32.1-283.6, those portions of meetings in which individual
 137 death cases are discussed by overdose fatality review teams established pursuant to § 32.1-283.7, those
 138 portions of meetings in which individual maternal death cases are discussed by the Maternal Mortality
 139 Review Team pursuant to § 32.1-283.8, and those portions of meetings in which individual death cases of
 140 persons with developmental disabilities are discussed by the Developmental Disabilities Mortality Review
 141 Committee established pursuant to § 37.2-314.1.

142 22. Those portions of meetings of the board of visitors of the University of Virginia or Old Dominion
 143 University, as the case may be, and those portions of meetings of any persons to whom management
 144 responsibilities for the University of Virginia Medical Center or the Eastern Virginia Health Sciences Center
 145 at Old Dominion University, as the case may be, have been delegated, in which there is discussed proprietary,
 146 business-related information pertaining to the operations of the University of Virginia Medical Center or the
 147 Eastern Virginia Health Sciences Center at Old Dominion University, as the case may be, including business
 148 development or marketing strategies and activities with existing or future joint venturers, partners, or other
 149 parties with whom the University of Virginia Medical Center or the Eastern Virginia Health Sciences Center
 150 at Old Dominion University, as the case may be, has formed, or forms, any arrangement for the delivery of
 151 health care, if disclosure of such information would adversely affect the competitive position of the
 152 University of Virginia Medical Center or the Eastern Virginia Health Sciences Center at Old Dominion
 153 University, as the case may be.

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

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

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

170 26. Discussion or consideration, by the former Wireless Carrier E-911 Cost Recovery Subcommittee
 171 created pursuant to former § 56-484.15, of trade secrets submitted by CMRS providers, as defined in
 172 § 56-484.12, related to the provision of wireless E-911 service.

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

179 28. Discussion or consideration of information subject to the exclusion in subdivision 11 of § 2.2-3705.6
 180 by a responsible public entity or an affected locality or public entity, as those terms are defined in
 181 § 33.2-1800, or any independent review panel appointed to review information and advise the responsible
 182 public entity concerning such records.

183 29. Discussion of the award of a public contract involving the expenditure of public funds, including

184 interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in
185 an open session would adversely affect the bargaining position or negotiating strategy of the public body.

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

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

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

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

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

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

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

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

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

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

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

219 41. Those portions of meetings of the Virginia Military Advisory Council or any commission created by
220 executive order for the purpose of studying and making recommendations regarding preventing closure or
221 realignment of federal military and national security installations and facilities located in Virginia and
222 relocation of such facilities to Virginia, or a local or regional military affairs organization appointed by a
223 local governing body, during which there is discussion of information subject to the exclusion in subdivision
224 8 of § 2.2-3705.2.

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

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

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

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

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

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

246 of Chapter 22.

247 48. Discussion or development of grant proposals by a regional council established pursuant to Article 26
248 (§ 2.2-2484 et seq.) of Chapter 24 to be submitted for consideration to the Virginia Growth and Opportunity
249 Board.

250 49. Discussion or consideration of (i) individual sexual assault cases by a sexual assault response team
251 established pursuant to § 15.2-1627.4, (ii) individual child abuse or neglect cases or sex offenses involving a
252 child by a child sexual abuse response team established pursuant to § 15.2-1627.5, (iii) individual cases
253 involving abuse, neglect, or exploitation of adults as defined in § 63.2-1603 pursuant to §§ 15.2-1627.5 and
254 63.2-1605, or (iv) individual human trafficking cases by any human trafficking response team established
255 pursuant to § 15.2-1627.6.

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

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

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

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

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

275 55. Meetings or portions of meetings of the Board of Criminal Justice Services or the Department of
276 Criminal Justice Services concerning the decertification of an identifiable law-enforcement or jail officer.

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

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

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

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

294 **§ 2.2-3711. (Effective July 1, 2026) Closed meetings authorized for certain limited purposes.**

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

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

306 2. Discussion or consideration of admission or disciplinary matters or any other matters that would
307 involve the disclosure of information contained in a scholastic record concerning any student of any public

308 institution of higher education in the Commonwealth or any state school system. However, any such student,
309 legal counsel and, if the student is a minor, the student's parents or legal guardians shall be permitted to be
310 present during the taking of testimony or presentation of evidence at a closed meeting, if such student,
311 parents, or guardians so request in writing and such request is submitted to the presiding officer of the
312 appropriate board.

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

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

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

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

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

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

334 9. Discussion or consideration by governing boards of public institutions of higher education of matters
335 relating to gifts, bequests and fund-raising activities, and of grants and contracts for services or work to be
336 performed by such institution. However, the terms and conditions of any such gifts, bequests, grants, and
337 contracts made by a foreign government, a foreign legal entity, or a foreign person and accepted by a public
338 institution of higher education in the Commonwealth shall be subject to public disclosure upon written
339 request to the appropriate board of visitors. For the purpose of this subdivision, (i) "foreign government"
340 means any government other than the United States government or the government of a state or a political
341 subdivision thereof, (ii) "foreign legal entity" means any legal entity (a) created under the laws of the United
342 States or of any state thereof if a majority of the ownership of the stock of such legal entity is owned by
343 foreign governments or foreign persons or if a majority of the membership of any such entity is composed of
344 foreign persons or foreign legal entities or (b) created under the laws of a foreign government, and (iii)
345 "foreign person" means any individual who is not a citizen or national of the United States or a trust territory
346 or protectorate thereof.

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

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

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

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

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

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

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

367 17. Deliberations of the Virginia Lottery Board in a licensing appeal action conducted pursuant to
368 subsection D of § 58.1-4007 regarding the denial or revocation of a license of a lottery sales agent; and
369 discussion, consideration or review of Virginia Lottery matters related to proprietary lottery game

370 information and studies or investigations excluded from disclosure under subdivision 6 of § 2.2-3705.3 and
 371 subdivision 11 of § 2.2-3705.7.

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

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

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

402 21. Those portions of meetings in which individual child death cases are discussed by the State Child
 403 Fatality Review Team established pursuant to § 32.1-283.1, those portions of meetings in which individual
 404 child death cases are discussed by a regional or local child fatality review team established pursuant to
 405 § 32.1-283.2, those portions of meetings in which individual death cases are discussed by family violence
 406 fatality review teams established pursuant to § 32.1-283.3, those portions of meetings in which individual
 407 adult death cases are discussed by the state Adult Fatality Review Team established pursuant to § 32.1-283.5,
 408 those portions of meetings in which individual adult death cases are discussed by a local or regional adult
 409 fatality review team established pursuant to § 32.1-283.6, those portions of meetings in which individual
 410 death cases are discussed by overdose fatality review teams established pursuant to § 32.1-283.7, those
 411 portions of meetings in which individual maternal death cases are discussed by the Maternal Mortality
 412 Review Team pursuant to § 32.1-283.8, and those portions of meetings in which individual death cases of
 413 persons with developmental disabilities are discussed by the Developmental Disabilities Mortality Review
 414 Committee established pursuant to § 37.2-314.1.

415 22. Those portions of meetings of the board of visitors of the University of Virginia or Old Dominion
 416 University, as the case may be, and those portions of meetings of any persons to whom management
 417 responsibilities for the University of Virginia Medical Center or the Eastern Virginia Health Sciences Center
 418 at Old Dominion University, as the case may be, have been delegated, in which there is discussed proprietary,
 419 business-related information pertaining to the operations of the University of Virginia Medical Center or the
 420 Eastern Virginia Health Sciences Center at Old Dominion University, as the case may be, including business
 421 development or marketing strategies and activities with existing or future joint venturers, partners, or other
 422 parties with whom the University of Virginia Medical Center or the Eastern Virginia Health Sciences Center
 423 at Old Dominion University, as the case may be, has formed, or forms, any arrangement for the delivery of
 424 health care, if disclosure of such information would adversely affect the competitive position of the
 425 University of Virginia Medical Center or the Eastern Virginia Health Sciences Center at Old Dominion
 426 University, as the case may be.

427 23. Discussion or consideration by the Virginia Commonwealth University Health System Authority or
 428 the board of visitors of Virginia Commonwealth University of any of the following: the acquisition or
 429 disposition by the Authority of real property, equipment, or technology software or hardware and related
 430 goods or services, where disclosure would adversely affect the bargaining position or negotiating strategy of
 431 the Authority; matters relating to gifts or bequests to, and fund-raising activities of, the Authority; grants and

432 contracts for services or work to be performed by the Authority; marketing or operational strategies plans of
433 the Authority where disclosure of such strategies or plans would adversely affect the competitive position of
434 the Authority; and members of the Authority's medical and teaching staffs and qualifications for
435 appointments thereto.

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

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

443 26. Discussion or consideration, by the former Wireless Carrier E-911 Cost Recovery Subcommittee
444 created pursuant to former § 56-484.15, of trade secrets submitted by CMRS providers, as defined in
445 § 56-484.12, related to the provision of wireless E-911 service.

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

452 28. Discussion or consideration of information subject to the exclusion in subdivision 11 of § 2.2-3705.6
453 by a responsible public entity or an affected locality or public entity, as those terms are defined in
454 § 33.2-1800, or any independent review panel appointed to review information and advise the responsible
455 public entity concerning such records.

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

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

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

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

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

471 34. Discussion or consideration by the State Board of Elections or local electoral boards of voting security
472 matters made confidential pursuant to ~~§ 24.2-410.2~~ 24.2-407.2 or 24.2-625.1 and review by the State Board
473 of Elections of complaints related to the personal use of campaign funds pursuant to § 24.2-948.7.

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

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

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

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

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

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

493 41. Those portions of meetings of the Virginia Military Advisory Council or any commission created by

494 executive order for the purpose of studying and making recommendations regarding preventing closure or
495 realignment of federal military and national security installations and facilities located in Virginia and
496 relocation of such facilities to Virginia, or a local or regional military affairs organization appointed by a
497 local governing body, during which there is discussion of information subject to the exclusion in subdivision
498 8 of § 2.2-3705.2.

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

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

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

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

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

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

521 48. Discussion or development of grant proposals by a regional council established pursuant to Article 26
522 (§ 2.2-2484 et seq.) of Chapter 24 to be submitted for consideration to the Virginia Growth and Opportunity
523 Board.

524 49. Discussion or consideration of (i) individual sexual assault cases by a sexual assault response team
525 established pursuant to § 15.2-1627.4, (ii) individual child abuse or neglect cases or sex offenses involving a
526 child by a child sexual abuse response team established pursuant to § 15.2-1627.5, (iii) individual cases
527 involving abuse, neglect, or exploitation of adults as defined in § 63.2-1603 pursuant to §§ 15.2-1627.5 and
528 63.2-1605, or (iv) individual human trafficking cases by any human trafficking response team established
529 pursuant to § 15.2-1627.6.

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

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

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

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

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

549 55. Meetings or portions of meetings of the Board of Criminal Justice Services or the Department of
550 Criminal Justice Services concerning the decertification of an identifiable law-enforcement or jail officer.

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

555 C. Public officers improperly selected due to the failure of the public body to comply with the other

556 provisions of this section shall be de facto officers and, as such, their official actions are valid until they
557 obtain notice of the legal defect in their election.

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

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

568 **§ 24.2-401. Persons moving from precinct.**

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

578 **§ 24.2-404. Duties of Department of Elections.**

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

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

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

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

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

591 4. Require the general registrars to delete from the record of registered voters the name of any voter who
592 (i) is deceased, (ii) is no longer qualified to vote in the county or city where he is registered due to removal of
593 his residence, (iii) has been convicted of a felony, (iv) has been adjudicated incapacitated, (v) is known not to
594 be a United States citizen by reason of reports from the Department of Motor Vehicles pursuant to
595 § 24.2-410.1 or from the Department of Elections based on information received from the Systematic Alien
596 Verification for Entitlements Program (SAVE Program) pursuant to subsection E, or (vi) is otherwise no
597 longer qualified to vote as may be provided by law. ~~Such action shall be taken no later than 30 days after~~
598 ~~notification from the Department. The Department shall promptly provide the information referred to in this~~
599 ~~subdivision, upon receiving it, to general registrars.~~

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

605 6. Create a record, or direct the general registrars to create a record, to be retained on the system for at
606 least four years, for each person whose application to register to vote is denied, including those persons who
607 apply to register to vote under the provisions of § 24.2-420.1, with the reason for the denial. In accordance
608 with the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), such rejection records shall be made
609 available for public inspection and copying.

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

612 7. 8. Provide to each general registrar, at least 16 days prior to a general or primary election and three
613 days prior to a special election, an alphabetical list of all registered voters in each precinct or portion of a
614 precinct in which the election is being held in the county, city, or town. These precinct lists shall be used as
615 the official lists of qualified voters and shall constitute the pollbooks. The Department shall provide
616 instructions for the division of the pollbooks and precinct lists into sections to accommodate the efficient
617 processing of voter lines at the polls. Prior to any general, primary, or special election, the Department shall

618 provide any general registrar, upon his request, with a separate electronic list of all registered voters in the
619 registrar's county or city. If electronic pollbooks are used in the locality or electronic voter registration
620 inquiry devices are used in precincts in the locality, the Department shall provide a regional or statewide list
621 of registered voters to the general registrar of the locality. The Department shall determine whether regional
622 or statewide data is provided. Neither the pollbook nor the regional or statewide list of registered voters shall
623 include the day and month of birth of the voter, but shall include the voter's year of birth.

624 ~~8.~~ 9. Acquire by purchase, lease, or contract equipment necessary to execute the duties of the Department.

625 ~~9.~~ 10. Use any source of information that may assist in carrying out the purposes of this section. All
626 agencies of the Commonwealth shall cooperate with the Department in procuring and exchanging
627 identification information for the purpose of maintaining the voter registration system. The Department may
628 share any information that it receives from another agency of the Commonwealth with any Chief Election
629 Officer of another state for the maintenance of the voter registration system.

630 ~~10. Cooperate~~ 11. In accordance with the provisions of § 24.2-410.3, cooperate with other states and
631 jurisdictions to develop systems to compare voters, voter history, and voter registration lists to ensure the
632 accuracy of the voter registration rolls, to identify voters whose addresses have changed, to prevent
633 duplication of registration in more than one state or jurisdiction, and to determine eligibility of individuals to
634 vote in Virginia.

635 ~~11.~~ 12. Reprint and impose a reasonable charge for the sale of any part of Title 24.2, lists of precincts and
636 polling places, statements of election results by precinct, and any other items required of the Department by
637 law. Receipts from such sales shall be credited to the Board for reimbursement of printing expenses.

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

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

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

647 E. The Department shall apply to participate in the Systematic Alien Verification for Entitlements
648 Program (SAVE Program) operated by U.S. Citizenship and Immigration Services of the U.S. Department of
649 Homeland Security for the purposes sole purpose of individually verifying that voters listed in the Virginia
650 voter registration system are United States citizens the current citizenship status of persons who provided
651 documents pursuant to subsection E of § 46.2-328.1. Upon approval of the application, the Department shall
652 enter into any required memorandum of agreement with U.S. Citizenship and Immigration Services. The
653 State Board shall promulgate rules and regulations governing the use of the immigration status and
654 citizenship status information received from the SAVE Program. The Department shall not (i) use
655 information received from the SAVE Program as the sole reason for rejecting a registration application, (ii)
656 upload lists of registered voters to the SAVE Program for verifying citizenship status in bulk, or (iii) transfer
657 any information to the U.S. Department of Homeland Security or any subdivision thereof beyond the
658 minimum information necessary to use the SAVE Program for the purpose permitted by this subsection.

659 F. The Department shall report annually by October 1 for the preceding 12 months ending August 31 to
660 the Committees on Privileges and Elections on each of its activities undertaken to maintain the Virginia voter
661 registration system and the results of those activities. The Department's report shall be governed by the
662 provisions of § 2.2-608 and shall encompass activities undertaken pursuant to subdivisions A 9 and 10 and
663 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,
664 24.2-410.1, 24.2-427, and 24.2-428. This report shall contain the methodology used in gathering and
665 analyzing the data. The Commissioner of Elections shall certify that the data included in the report is accurate
666 and reliable.

667 **§ 24.2-407.2. Security of the Virginia voter registration system.**

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

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

680 *C. In accordance with the process prescribed by the State Board, the Department of Elections may limit*
 681 *access to the Virginia voter registration system by any county or city that has failed to comply with the*
 682 *provisions of subsection B or the security standards established by the State Board pursuant to subsection A.*
 683 *Such access shall be limited as necessary in order to address and resolve any security risks or to enforce*
 684 *compliance with the provisions of subsection B or the security standards established by the State Board.*
 685 *Prior to limiting access to the Virginia voter registration system by any county or city, the Department of*
 686 *Elections shall provide notice to the county or city of the failure to comply with the provisions of subsection A*
 687 *or B and the county or city shall have seven days to correct any deficiencies. The Department of Elections*
 688 *may provide technical assistance to any county or city upon request by the county or city.*

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

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

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

703 *Article 2.1.*

704 *List Maintenance.*

705 **§ 24.2-407.3. Duty of Department of Elections; list maintenance activities; annual review; report.**

706 *A. Upon receipt of any list, record, or other information provided pursuant to this article, the Department*
 707 *shall compare the contents of such list or record to the list of all registered voters maintained on the voter*
 708 *registration system to identify registration records containing information that matches information on the*
 709 *list or record received. A potential match of a registration record with information on a list or record*
 710 *received shall not be grounds for cancellation of the registration record if there is not, at a minimum, a*
 711 *match of the full Social Security number or a match of the Virginia Department of Motor Vehicles customer*
 712 *identifier number.*

713 *B. When comparing a registration record with information on a list or record received pursuant to this*
 714 *article, the Department shall determine the confidence score for any potential match in accordance with*
 715 *regulations promulgated by the State Board for such purpose. In promulgating regulations for establishing a*
 716 *confidence score for potential matches, the State Board shall account for differences in data sources and*
 717 *shall establish a threshold score that shall be met to begin the cancellation process. A voter's registration*
 718 *record with a confidence score that meets or exceeds the threshold score set by regulation shall be*
 719 *transmitted to the appropriate general registrar and the general registrars shall use such information to*
 720 *carry out their duties in accordance with § 24.2-427.*

721 *C. The Department shall conduct an annual review of all sources of data utilized pursuant to this article*
 722 *for list maintenance activities in the preceding 12-month period for the purpose of determining the validity,*
 723 *completeness, accuracy, and reliability of the data received from each source and any delays to processing*
 724 *data from any source because the data or the source was determined to be inaccurate, unreliable, or*
 725 *otherwise compromising the accuracy and integrity of the voter records maintained in the Virginia voter*
 726 *registration system. The results of such review shall be included in the Department's report required*
 727 *pursuant to subsection D.*

728 *D. The Department shall report annually by August 1 for the preceding 12 months ending June 30 to the*
 729 *House and Senate Committees on Privileges and Elections on each of its activities undertaken to maintain the*
 730 *Virginia voter registration system and the results of those activities. The Department's report shall be*
 731 *governed by the provisions of § 2.2-608 and shall encompass activities undertaken pursuant to this article*
 732 *and Article 5 (§ 24.2-426.1 et seq.). This report shall contain the methodology used in gathering and*
 733 *analyzing the data. The Commissioner of Elections shall certify that the data included in the report is*
 734 *accurate and reliable.*

735 *E. The State Board shall promulgate regulations governing (i) the criteria for evaluating data sources,*
 736 *including the methodology to be utilized to analyze and determine the accuracy and reliability of a data*
 737 *source, and (ii) any requirements for delaying the processing of data from any source that is determined to be*
 738 *inaccurate, unreliable, or otherwise compromises the accuracy and integrity of the voter records maintained*
 739 *in the Virginia voter registration system.*

740 **§ 24.2-408. Lists of deceased voters; State Registrar of Vital Records; Social Security**
 741 **Administration.**

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

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

753 C. The Department shall compare the contents of such lists to identify record matches in accordance with
754 § 24.2-407.3, and the general registrars shall have access to the information in the lists necessary to carry
755 out their duties pursuant to § 24.2-427. The Department shall maintain a permanent record of the information
756 in the lists as part of the voter registration system; ~~and the general registrars shall use the information in the~~
757 ~~lists to carry out their duties pursuant to § 24.2-427.~~ Information in the lists shall be confidential and
758 consistent with the requirements of § 32.1-271.

759 **§ 24.2-409. Lists of persons convicted of felonies; Department of State Police.**

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

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

778 C. On or before July 1 of each year, the Department of State Police shall transmit to the Department of
779 Elections by electronic means a list of all persons convicted of a felony, regardless of when the conviction
780 occurred. The list shall be in a format mutually agreed upon by the Commissioner of Elections and the
781 Department of State Police and shall contain, at a minimum, the information required in clauses (i) through
782 (viii) of subsection A for monthly lists. Upon receipt of the annual list, the Department shall compare the
783 contents of the list to the list of all registered voters maintained on the voter registration system ~~and shall~~
784 ~~notify the appropriate general registrar of the felony conviction of any registered voter to identify record~~
785 ~~matches in accordance with § 24.2-407.3. The general registrars shall have access to the information in the~~
786 ~~lists necessary to carry out their duties pursuant to § 24.2-427.~~

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

789 **§ 24.2-410. Lists of certain adjudications; clerks of circuit courts.**

790 ~~The~~ A. Each month, the clerk of each circuit court shall ~~furnish monthly~~ transmit to the Department of
791 Elections by electronic means a complete list of all persons who have been adjudicated incapacitated pursuant
792 to Chapter 20 (§ 64.2-2000 et seq.) of Title 64.2 or whose incapacity has been recognized pursuant to
793 § 64.2-2115, and therefore "mentally incompetent" for purposes of this title unless the court order specifically
794 provides otherwise, during the preceding month ~~or. If no such adjudications have occurred that month, the~~
795 ~~clerk shall transmit to the Department instead~~ a statement that no adjudications have occurred that month.
796 The list shall contain, at a minimum, the following identification information for each such ~~person's~~ person
797 included on the list: (i) his last name, including any other last name used; (ii) his first name; (iii) his middle
798 name or initial, if any; ~~address;~~ (iv) his last known address of residence, including the county, city, or town ~~of~~
799 ~~residence;~~ (v) his social security number, if any; (vi) his Department of Motor Vehicles customer identifier
800 number, if any; (vii) his date and place of birth; and (viii) the date of his adjudication. ~~The Commissioner of~~
801 ~~Elections and the Executive Secretary shall determine the procedure for furnishing such lists, which may be~~
802 ~~by electronic means.~~

803 B. Upon receipt of the monthly list, the Department shall compare the contents of the list to the list of all

804 registered voters maintained on the voter registration system to identify record matches in accordance with
 805 § 24.2-407.3. The general registrars shall have access to the information in the lists necessary to carry out
 806 their duties pursuant to § 24.2-427.

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

809 **§ 24.2-410.1. Lists of noncitizens; Department of Motor Vehicles.**

810 A. The Department of Motor Vehicles shall include on the application for any document, or renewal
 811 thereof, issued pursuant to the provisions of Chapter 3 (§ 46.2-300 et seq.) of Title 46.2 a statement asking
 812 the applicant if he is a United States citizen. Information on citizenship status shall not be a determinative
 813 factor for the issuance of any document pursuant to the provisions of Chapter 3 (§ 46.2-300 et seq.) of Title
 814 46.2.

815 B. The Department of Motor Vehicles shall furnish monthly to the Department of Elections a complete list
 816 of all persons who have indicated a noncitizen status to the Department of Motor Vehicles in obtaining any
 817 document, or renewal thereof, issued pursuant to the provisions of Chapter 3 (§ 46.2-300 et seq.) of Title
 818 46.2. Such list shall contain, at a minimum, the following identification information for each person included
 819 on the list: (i) his last name, including any other last name used; (ii) his first name; (iii) his middle name or
 820 initial, if any; (iv) his date and place of birth; (v) his social security number, if any; (vi) his Department of
 821 Motor Vehicles customer identifier number, if any; and (vii) his last known address of residence, including
 822 the county, city, or town.

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

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

832 **§ 24.2-410.3. Exchange of registered voter lists with other states.**

833 A. The Department of Elections shall (i) request voter registration information and lists of persons voting
 834 at primaries and elections, if available, from the states bordering the Commonwealth and (ii) utilize data
 835 regarding voter registration and lists of persons voting at primaries and elections received through list
 836 comparisons with other states in order to identify duplicate registrations, voters who no longer reside in the
 837 Commonwealth, and other persons who are no longer entitled to be registered as part of its duty to maintain
 838 the overall accuracy of the voter registration system.

839 B. The Department shall compare the data received pursuant to subsection A with the state voter
 840 registration list to identify record matches in accordance with § 24.2-407.3. The Department shall include in
 841 its report to the House and Senate Committees on Privileges and Elections, required by § 24.2-407.3, the
 842 progress of activities conducted under this section, including the number of duplicate registrations found to
 843 exist and the procedures that the Department and general registrars are following to eliminate duplicate
 844 registrations from the Virginia registered voter lists.

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

850 **§ 24.2-410.4. Regular periodic review of registration records; confirmation notification process.**

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

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

863 C. If it appears from information provided by the United States Postal Service or by other reliable sources
 864 that a voter has moved to a different address not in the same county or city, the Department or the general
 865 registrar shall send to the last known address of the voter by forwardable mail, a notice on a form prescribed

866 by the Department, along with a postage prepaid and pre-addressed return card on which the voter may
867 verify or correct the address information or state his current address.

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

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

877 **§ 24.2-410.5. Placement of inactive status; other initiating events for confirmation notification process.**

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

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

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

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

886 a. An acknowledgment of registration;

887 b. An acknowledgment of transfer to a new address;

888 c. An absentee ballot or application for an absentee ballot sent or provided in accordance with Chapter 7
889 (§ 24.2-700 et seq.);

890 d. Notification to a voter after a precinct reassignment;

891 e. Notification of a change of address sent to a voter in accordance with subsection B of § 24.2-410.4; or

892 f. Any official voter registration or election mail.

893 **§ 24.2-410.6. Return of registered voter to active status; cancellation after period of inactivity.**

894 A. In accordance with the National Voter Registration Act of 1993 (52 U.S.C. § 20501 et seq.), a
895 registered voter shall be returned to active status from inactive status if, during the period beginning on the
896 date the voter was assigned to inactive status and ending on the day of the second general election for federal
897 office thereafter, the voter:

898 1. Notifies the general registrar of a change of address within the county or city;

899 2. Responds to a confirmation notice with information that the voter continues to reside at the registration
900 address;

901 3. Votes or attempts to vote in a primary or a special or general election and, if necessary, corrects the
902 registration record; or

903 4. Transfers his registration to another county or city within the Commonwealth pursuant to § 24.2-424
904 or subsection E of § 24.2-410.4.

905 B. In accordance with the National Voter Registration Act of 1993 (52 U.S.C. § 20501 et seq.), a
906 registered voter assigned inactive status shall have his voter registration canceled if, during the period
907 beginning on the date the voter was assigned to inactive status and ending on the day of the second general
908 election for federal office thereafter, the voter fails to take an action set out in subdivisions A 1 through 4.

909 C. The general registrar shall post at the courthouse or have published in a newspaper of general
910 circulation in his county or city a list of names of persons whose registration has been canceled pursuant to
911 this section. The general registrar shall deliver or mail, obtaining a certificate of mailing, a certified copy of
912 the list to the chairman of each political party in his county or city.

913 **§ 24.2-426.1. Cancellation of registration by voter.**

914 A. Any registered voter may cancel his registration by submitting to the general registrar a written
915 authorization, signed by the voter, that his voter registration shall be canceled. Such cancellation
916 authorization shall be made at least 22 days prior to an election in order to be valid in that election, unless
917 such cancellation authorization is made in person or notarized. Within 10 days of receiving such
918 authorization, the general registrar shall acknowledge receipt of the authorization and advise the voter by
919 first-class mail, or in person if such authorization is made in person, that his registration has been canceled.

920 B. Notice received by a general registrar from the registration official of another jurisdiction, or signed
921 by the voter, that a registered voter has moved from the Commonwealth or that the registered voter has
922 registered to vote outside the Commonwealth subsequent to his registration in the Commonwealth shall be
923 considered a written authorization from the voter to have his registration canceled. Information received
924 through a list exchange or list comparison pursuant to § 24.2-410.3 shall not be deemed to be notice for
925 purposes of this subsection.

926 **§ 24.2-427. Cancellation of registration for persons known to be deceased or disqualified to vote.**

927 A. Any registered voter may cancel his registration and have his name removed from the central

928 registration records by signing an authorization for cancellation and mailing or otherwise submitting the
 929 signed authorization to the general registrar. When submitted by any means other than when notarized or in
 930 person, such cancellation must be made at least 22 days prior to an election in order to be valid in that
 931 election. The general registrar shall acknowledge receipt of the authorization and advise the voter in person or
 932 by first-class mail that his registration has been canceled within 10 days of receipt of such authorization.

933 B. The general registrar shall promptly cancel the registration of (i) all persons known by him to be
 934 deceased; (ii) all persons known by him to be disqualified to vote by reason of a felony conviction or
 935 adjudication of incapacity; (iii) all persons known by him not to be United States citizens by reason of reports
 936 from the Department of Motor Vehicles pursuant to § 24.2-410.1 or from the Department of Elections based
 937 on information received from the Systematic Alien Verification for Entitlements Program (SAVE Program)
 938 pursuant to subsection E of § 24.2-404 and in accordance with the requirements of subsection C; (iv) all
 939 persons for whom a notice has been received, signed by the voter, or from the registration official of another
 940 jurisdiction that the voter has moved from the Commonwealth; and (v) all persons for whom a notice has
 941 been received, signed by the voter, or from the registration official of another jurisdiction that the voter has
 942 registered to vote outside the Commonwealth, subsequent to his registration in Virginia. The notice received
 943 in clauses (iv) and (v) shall be considered as a written request from the voter to have his registration
 944 cancelled. A voter's registration may be cancelled at any time during the year in which the general registrar
 945 discovers that the person is no longer entitled to be registered. The general registrar shall provide notice of
 946 any cancellation to the person whose registration is cancelled, by mail to the address listed in the voter's
 947 registration record and by email to the email address provided on the voter's registration application, if one
 948 was provided or disqualified to vote in accordance with the provisions of this section. A voter's registration
 949 may be canceled at any time during the year in which the general registrar discovers that the person is no
 950 longer entitled to be registered. The general registrar shall provide notice of any cancellation to the person
 951 whose registration is canceled, by mail to the address listed in the voter's registration record and by email to
 952 the email address provided on the voter's registration application, if one was provided.

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

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

979 E. ~~The D.~~ Upon receipt of a notice submitted to the Department of Motor Vehicles in accordance with the
 980 Driver License Compact set out in Article 18 (§ 46.2-483 et seq.) of Chapter 3 of Title 46.2 that a registered
 981 voter has moved from the Commonwealth, the general registrar may cancel the registration of any such person
 982 for whom a notice has been submitted to the Department of Motor Vehicles in accordance with the Driver
 983 License Compact set out in Article 18 (§ 46.2-483 et seq.) of Chapter 3 of Title 46.2 and forwarded to the
 984 general registrar, that the voter has moved from the Commonwealth; provided that the. Prior to canceling a
 985 registration pursuant to this subsection, the general registrar shall mail notice of such cancellation to the
 986 person at both his new address, as reported to the Department of Motor Vehicles, and the address at which he
 987 had most recently been registered in Virginia. No general registrar may cancel registrations under this
 988 authority subsection while the registration records are closed pursuant to § 24.2-416. No registrar may cancel
 989 the registration under this authority of any person entitled to register under the provisions of subsection A of

990 ~~§ 24.2-420.1~~ who (i) is a member of a uniformed service of the United States, as defined in § 24.2-452, on
 991 active duty; (ii) resides temporarily outside of the United States; or (iii) is a spouse or dependent residing
 992 with a person listed in clause (i) or (ii), and shall reinstate the registration of any such person who is
 993 otherwise a qualified voter covered by subsection A of § 24.2-420.1 and who applies to vote within four
 994 years of the date of cancellation.

995 **§ 24.2-435. Records related to cancellation of registration; retention period.**

996 The registration records of voters whose registration has been cancelled pursuant to this article shall be
 997 retained for ~~two~~ four years from the date of cancellation by the general registrar. ~~However, the registration~~
 998 ~~records of voters whose registration has been cancelled because the voter has moved to another state or the~~
 999 ~~voter has submitted changes to his registration records shall be retained for four years. The cancellation~~
 1000 ~~records required by subdivision A 5 of § 24.2-404 shall also be retained for four years from the date of~~
 1001 ~~cancellation by the general registrar.~~

1002 **§ 24.2-444. Duties of general registrars and Department of Elections as to voter registration**
 1003 **records; public inspection; exceptions.**

1004 A. Registration records shall be kept and preserved by the general registrar in compliance with
 1005 §§ 2.2-3803, 2.2-3808, and 24.2-114. The Department shall provide to each general registrar, for each
 1006 precinct in his county or city, lists of registered voters for inspection. The lists shall contain the name,
 1007 address, year of birth, gender and all election districts applicable to each registered voter. The lists shall be
 1008 opened to public inspection at the office of the general registrar when the office is open for business. New
 1009 lists shall be provided not less than once each year to all localities except those in which an updated list is
 1010 made available electronically for public inspection, and supplements containing additions, deletions, and
 1011 changes shall be provided not less than (i) weekly during the 60 days preceding any general election and (ii)
 1012 monthly at other times. Notwithstanding any other provision of law regarding the retention of records, upon
 1013 receipt of any new complete list, the general registrar shall destroy the obsolete list and its supplements. The
 1014 Department shall provide to each general registrar lists of persons denied registration for public inspection.
 1015 Such lists may be provided electronically through the Virginia voter registration system and produced in
 1016 whole or in part upon a request for public inspection.

1017 B. The general registrars shall maintain for at least two years and shall make available for public
 1018 inspection and copying and, where available, photocopying at a reasonable cost, all records concerning the
 1019 implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency
 1020 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,~~
 1021 including lists of the names and addresses of all persons to whom notices are sent, and information
 1022 concerning whether each person has responded to the notice as of the date that inspection of the records is
 1023 made.

1024 C. No list provided by the Department under subsection A nor any record made available for public
 1025 inspection under subsection B shall contain any of the following information: (i) an individual's social
 1026 security number, or any part thereof; (ii) the residence address of an individual who has furnished a post
 1027 office box address in lieu of his residence address as authorized by subsection B of § 24.2-418; (iii) the
 1028 declination by an individual to register to vote and related records; (iv) the identity of a voter registration
 1029 agency through which a particular voter is registered; or (v) the day and month of birth of an individual. No
 1030 voter registration records other than the lists provided by the Department under subsection A and the records
 1031 made available under subsection B shall be open to public inspection.

1032 **§ 24.2-610. Materials at polling places.**

1033 A. The Department shall provide copies of this title to each member of the electoral boards and to each
 1034 general registrar for each precinct in the county or city. The general registrar shall furnish a copy of this title
 1035 to each precinct for the use of the officers of election on election day.

1036 B. Pursuant to subdivision A 7 8 of § 24.2-404, the Department shall transmit to the general registrar of
 1037 each county and city pollbooks for each precinct in which the election is to be held. For each primary and
 1038 general election, the general registrar shall produce and distribute a printed copy of the pollbook to each
 1039 precinct. The data elements printed or otherwise provided for each voter on the pollbooks shall be uniform
 1040 throughout the Commonwealth.

1041 C. The electoral board, general registrar, and officers of election shall comply with the requirements of
 1042 this title and the instructions of the State Board to ensure that the pollbooks, ballots, voting equipment keys,
 1043 and other materials and supplies required to conduct the election are delivered to the polling place before 6:00
 1044 a.m. on the day of the election and delivered to the proper official following the election.

1045 **§ 24.2-611. Form and signing of pollbooks; records of persons voting; electronic pollbooks.**

1046 A. The following oath shall be on a form prescribed by the State Board, administered to all officers of
 1047 election, and kept by the officers of election with the pollbook:

1048 "I do solemnly swear (or affirm) that I will perform the duties for this election according to law and the
 1049 best of my ability, and that I will studiously endeavor to prevent fraud, deceit, and abuse in conducting this
 1050 election."

1051 The oath shall be administered to each officer of election by the general registrar, a member of the

1052 electoral board, or an officer of election designated by the general registrar and secretary of the electoral
1053 board, who shall be so identified on the form. The oath shall be signed by each officer of election and the
1054 person administering the oath. The pollbook shall be marked to identify the election for which it is used.

1055 B. The Department shall provide the pollbook pursuant to subdivision A 7 8 of § 24.2-404. The pollbook
1056 shall (i) provide a space for the officer of election to record the name and consecutive number of the voter at
1057 the time he offers to vote and (ii) be retained in accordance with the provisions governing pollbooks in this
1058 title. The Department shall make available a numerical check sheet required to be used with pollbooks in
1059 printed form to determine the consecutive number to be recorded with the name of the voter by the officer of
1060 election. In electronic pollbooks, the consecutive number shall be entered automatically when the officer of
1061 election records that the voter has voted. When the name and number of the last qualified voter have been
1062 entered on the pollbook, the officer of election responsible for that pollbook shall sign a statement on the
1063 check sheet, or on a separate form if an electronic pollbook is used, certifying the number of qualified
1064 registrants who have voted. The Department shall provide instructions to the local electoral boards, general
1065 registrars, and officers of election for the conduct of the election and for procedures for entering a voting
1066 record for each voter and recording each voter's name, including voters unable to enter the polling place, and
1067 for verifying the accurate entry of the voting record for each registrant on the Virginia Voter Registration
1068 System. Notwithstanding any other provision of this title, for any election held on or after November 1, 2020,
1069 all pollbooks provided by the Department shall be in electronic form only.

1070 C. The Department shall incorporate safeguards to assure that the records of the election, including the
1071 pollbook, voter count sheets, or other alternative records, will provide promptly an accurate and secure record
1072 of those who have voted.

1073 D. Any locality may expend its own funds to purchase electronic pollbooks that have been approved for
1074 use in elections by the State Board.

1075 E. The general registrar shall produce a paper copy of the pollbook specified in subsection B for each
1076 precinct in any primary or general election.

1077 F. In the event that the electronic pollbooks for a precinct fail to operate properly and no alternative voter
1078 list or pollbook is available, the officers of election, in accordance with the instructions and materials
1079 approved by the State Board, shall (i) maintain a written list of the persons voting and (ii) provide to each
1080 person voting a provisional ballot to be cast as provided in § 24.2-653.

1081 **§ 24.2-703.1. Permanent absentee voter list.**

1082 A. Any registered voter shall be eligible to file a special application to receive absentee ballots for all
1083 elections in which he is eligible to vote. Such application shall be on a form approved by the State Board. The
1084 absentee ballots sent to a voter on the permanent absentee voter list shall be sent to the address in the voter's
1085 registration record, except as provided in subdivision C 1.

1086 B. In accordance with procedures established by the State Board, the general registrar shall retain the
1087 application, enroll the applicant on a permanent absentee voter list, and process the applicant's request for an
1088 absentee ballot for each succeeding election. The applicant shall specify by party designation the primary
1089 ballots he is requesting.

1090 C. The State Board shall prescribe the process by which a voter on the permanent absentee voter list may:

1091 1. Request that his absentee ballot for (i) a single election or (ii) a primary election and the following
1092 general election be sent to an address other than the address on his voter registration record.

1093 2. Request a primary ballot for a political party other than the one he specified on his application for
1094 permanent absentee voter status for a single primary election.

1095 3. Change his political party selection for all succeeding primary elections.

1096 D. A voter shall be removed from the permanent absentee voter list if (i) the voter requests in writing to
1097 be removed from the list, (ii) the voter's registration is canceled pursuant to § 24.2-427, (iii) the voter's
1098 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)
1099 the voter moves to a different address not in the same county or city of his registration.

1100 **§ 24.2-709. Ballot to be returned in manner prescribed by law.**

1101 A. Any ballot returned to the office of the general registrar or to a drop-off location in any manner except
1102 as prescribed by law shall be void. Absentee ballots shall be returned to the general registrar or to a drop-off
1103 location before the closing of the polls. Any voter who is in line to return an absentee ballot at a drop-off
1104 location by 7:00 p.m. on the day of the election shall be permitted to deposit his absentee ballot. The registrar
1105 receiving the ballot shall (i) seal the ballot in an envelope with the statement or declaration of the voter, or
1106 both, attached to the outside and (ii) mark on each envelope the date, time, and manner of delivery. No
1107 returned absentee ballot shall be deemed void because (a) the inner envelope containing the voted ballot is
1108 imperfectly sealed so long as the outside envelope containing the ballot envelope is sealed or (b) it is not
1109 returned sealed in the outside envelope so long as it is returned sealed in the inner envelope.

1110 B. Notwithstanding the provisions of subsection A, any absentee ballot (i) returned to the general registrar
1111 after the closing of the polls on election day but before noon on the third day after the election and (ii)
1112 postmarked on or before the date of the election shall be counted pursuant to the procedures set forth in this
1113 chapter if the voter is found entitled to vote. For purposes of this subsection, a postmark shall include any

1114 other official indicia of confirmation of mailing by the United States Postal Service or other postal or delivery
1115 service.

1116 C. Notwithstanding the provisions of subsection A, any absentee ballot (i) received after the close of the
1117 polls on any election day, (ii) received before 5:00 p.m. on the second business day before the State Board
1118 meets to ascertain the results of the election pursuant to this title, (iii) requested on or before but not sent by
1119 the deadline for making absentee ballots available under § 24.2-612, and (iv) cast by a covered voter, as
1120 defined in § 24.2-452, shall be counted pursuant to the procedures set forth in this chapter if the voter is
1121 found entitled to vote. The electoral board shall prepare an amended certified abstract, which shall include the
1122 results of such ballots, and shall deliver such abstract to the State Board by the business day prior to its
1123 meeting pursuant to this title, and shall deliver a copy of such abstract to the general registrar to be available
1124 for inspection when his office is open for business.

1125 D. Notwithstanding the provisions of ~~clause (i)~~ of subsection ~~B~~ A of § 24.2-427 *requiring the prompt*
1126 *cancellation of the registration of a deceased voter*, an absentee ballot returned by a voter in compliance with
1127 § 24.2-707 and this section who dies prior to the counting of absentee ballots on election day shall be counted
1128 pursuant to the procedures set forth in this chapter if the voter is found to have been entitled to vote at the
1129 time that he returned the ballot.

1130 **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**
1131 **Virginia are repealed.**

1132 **3. That the provisions of this act shall become effective on July 1, 2027, except that the provisions of**
1133 **§ 24.2-426.1 of the Code of Virginia, as created by this act, and §§ 24.2-404 and 24.2-427 of the Code of**
1134 **Virginia, as amended by this act, shall become effective in due course.**