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**SENATE BILL NO. 162**

Senate Amendments in [ ] - February 12, 2026

A BILL to amend and reenact §§ 8.01-338, 24.2-101, 24.2-404, 24.2-409, 24.2-409.1, 24.2-410, 24.2-418, 24.2-427, 53.1-5, 53.1-10, 64.2-2000, and 64.2-2009 of the Code of Virginia; to amend the Code of Virginia by adding sections numbered 24.2-400.1, 24.2-409.2, and 24.2-418.2; and to repeal Chapter 12.1 (§§ 53.1-231.1 and 53.1-231.2) of Title 53.1 of the Code of Virginia, relating to voter registration; restoration of political rights upon release from incarceration; certain adjudications.

Patron Prior to Engrossment—Senator Locke

Referred to Committee on Privileges and Elections

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

1. That §§ 8.01-338, 24.2-101, 24.2-404, 24.2-409, 24.2-409.1, 24.2-410, 24.2-418, 24.2-427, 53.1-5, 53.1-10, 64.2-2000, and 64.2-2009 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding sections numbered 24.2-400.1, 24.2-409.2, and 24.2-418.2 as follows:

**§ 8.01-338. Who disqualified.**

The following persons shall be disqualified from serving as jurors:

1. Persons adjudicated incapacitated;
2. Persons convicted of treason or a felony; or
3. Any other person under a disability as defined in § 8.01-2 and not included in subdivisions 1 or 2 above.

**§ 24.2-101. Definitions.**

As used in this title, unless the context requires a different meaning:

"Ballot scanner machine" means the electronic counting machine in which a voter inserts a marked ballot to be scanned and the results tabulated.

"Candidate" means a person who seeks or campaigns for an office of the Commonwealth or one of its governmental units in a general, primary, or special election and who is qualified to have his name placed on the ballot for the office. "Candidate" shall include a person who seeks the nomination of a political party or who, by reason of receiving the nomination of a political party for election to an office, is referred to as its nominee. For the purposes of Chapters 8 (§ 24.2-800 et seq.), 9.3 (§ 24.2-945 et seq.), and 9.5 (§ 24.2-955 et seq.), "candidate" shall include any write-in candidate. However, no write-in candidate who has received less than 15 percent of the votes cast for the office shall be eligible to initiate an election contest pursuant to Article 2 (§ 24.2-803 et seq.) of Chapter 8. For the purposes of Chapters 9.3 (§ 24.2-945 et seq.) and 9.5 (§ 24.2-955 et seq.), "candidate" shall include any person who raises or spends funds in order to seek or campaign for an office of the Commonwealth, excluding federal offices, or one of its governmental units in a party nomination process or general, primary, or special election; and such person shall be considered a candidate until a final report is filed pursuant to Article 3 (§ 24.2-947 et seq.) of Chapter 9.3.

"Central absentee voter precinct" means a precinct established pursuant to § 24.2-712 for the processing of absentee ballots for the county or city or any combination of precincts within the county or city.

"Constitutional office" or "constitutional officer" means a county or city office or officer referred to in Article VII, § 4 of the Constitution of Virginia: clerk of the circuit court, attorney for the Commonwealth, sheriff, commissioner of the revenue, and treasurer.

"Department of Elections" or "Department" means the state agency headed by the Commissioner of Elections.

"Direct recording electronic machine" or "DRE" means the electronic voting machine on which a voter touches areas of a computer screen, or uses other control features, to mark a ballot and his vote is recorded electronically.

"Election" means a general, primary, or special election.

"Election district" means the territory designated by proper authority or by law which is represented by an official elected by the people, including the Commonwealth, a congressional district, a General Assembly district, or a district for the election of an official of a county, city, town, or other governmental unit.

"Electoral board" or "local electoral board" means a board appointed pursuant to § 24.2-106 to administer elections for a county or city. The electoral board of the county in which a town or the greater part of a town is located shall administer the town's elections.

"Entrance of polling place" or "entrance to polling place" means an opening in the wall used for ingress to a structure.

"General election" means an election held in the Commonwealth on the Tuesday after the first Monday in

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59 November or on the first Tuesday in May for the purpose of filling offices regularly scheduled by law to be  
60 filled at those times.

61 "General registrar" means the person appointed by the electoral board of a county or city pursuant to  
62 § 24.2-110 to be responsible for all aspects of voter registration, in addition to other duties prescribed by this  
63 title. When performing duties related to the administration of elections, the general registrar is acting in his  
64 capacity as the director of elections for the locality in which he serves.

65 "*Incarceration*" means confinement inside the physical boundaries of a state correctional facility or local  
66 correctional facility, as those terms are defined § 53.1-1, for 24 hours a day. "*Incarceration*" does not  
67 include any period of probation, parole, or post-release supervision, or of confinement in a community  
68 correctional facility, as that term is defined in § 53.1-1.

69 "Machine-readable ballot" means a tangible ballot that is marked by a voter or by a system or device  
70 operated by a voter, is available for verification by the voter at the time the ballot is cast, and is then fed into  
71 and scanned by a separate counting machine capable of reading ballots and tabulating results.

72 "Officer of election" means a person appointed by an electoral board pursuant to § 24.2-115 to serve at a  
73 polling place for any election.

74 "Paper ballot" means a tangible ballot that is marked by a voter and then manually counted.

75 "Party" or "political party" means an organization of citizens of the Commonwealth which, at either of the  
76 two preceding statewide general elections, received at least 10 percent of the total vote cast for any statewide  
77 office filled in that election. The organization shall have a state central committee and an office of elected  
78 state chairman which have been continually in existence for the six months preceding the filing of a nominee  
79 for any office.

80 "Person with a disability" means a person with a disability as defined in § 51.5-40.1.

81 "Polling place" means the structure that contains the one place provided for each precinct at which the  
82 qualified voters who are residents of the precinct may vote.

83 "Precinct" means the territory designated by the governing body of a county, city, or town to be served by  
84 one polling place.

85 "Primary" or "primary election" means an election held for the purpose of selecting a candidate to be the  
86 nominee of a political party for election to office.

87 "Printed ballot" means a tangible ballot that is printed on paper and includes both machine-readable  
88 ballots and paper ballots.

89 "Qualified voter" means a person who is entitled to vote pursuant to the Constitution of Virginia and who  
90 is (i) 18 years of age on or before the day of the election or qualified pursuant to § 24.2-403 or subsection D  
91 of § 24.2-544, (ii) a resident of the Commonwealth and of the precinct in which he offers to vote, and (iii) a  
92 registered voter. ~~No person who has been convicted of a felony shall be a qualified voter unless his civil  
93 rights have been restored by the Governor or other appropriate authority. No person adjudicated incapacitated  
94 shall be a qualified voter unless his capacity has been reestablished as provided by law.~~ Whether a signature  
95 should be counted towards satisfying the signature requirement of any petition shall be determined based on  
96 the signer of the petition's qualification to vote. For purposes of determining if a signature on a petition shall  
97 be included in the count toward meeting the signature requirements of any petition, "qualified voter" shall  
98 include only persons maintained on the Virginia voter registration system (a) with active status and (b) with  
99 inactive status who are qualified to vote for the office for which the petition was circulated.

100 "Qualified voter in a town" means a person who is a resident within the corporate boundaries of the town  
101 in which he offers to vote, duly registered in the county of his residence, and otherwise a qualified voter.

102 "Referendum" means any election held pursuant to law to submit a question to the voters for approval or  
103 rejection.

104 "Registered voter" means any person who is maintained on the Virginia voter registration system. All  
105 registered voters shall be maintained on the Virginia voter registration system with active status unless  
106 assigned to inactive status by a general registrar in accordance with Chapter 4 (§ 24.2-400 et seq.). For  
107 purposes of applying the precinct size requirements of § 24.2-307, calculating election machine requirements  
108 pursuant to Article 3 (§ 24.2-625 et seq.) of Chapter 6, mailing notices of local election district, precinct or  
109 polling place changes as required by subdivision 13 of § 24.2-114 and § 24.2-306, and determining the  
110 number of signatures required for candidate and voter petitions, "registered voter" shall include only persons  
111 maintained on the Virginia voter registration system with active status. For purposes of determining if a  
112 signature on a petition shall be included in the count toward meeting the signature requirements of any  
113 petition, "registered voter" shall include only persons maintained on the Virginia voter registration system (i)  
114 with active status and (ii) on inactive status who are qualified to vote for the office for which the petition was  
115 circulated.

116 "Registration records" means all official records concerning the registration of qualified voters and shall  
117 include all records, lists, applications, and files, whether maintained in books, on cards, on automated data  
118 bases, or by any other legally permitted record-keeping method.

119 "*Release from incarceration*" means release from confinement inside the physical boundaries of a state  
120 correctional facility or local correctional facility, as those terms are defined § 53.1-1; however, the release to

121 *the custody of an out-of-state correctional facility or federal detention center shall not be deemed a release*  
 122 *from incarceration for purposes of this title.*

123 "Residence" or "resident," for all purposes of qualification to register and vote, means and requires both  
 124 domicile and a place of abode. To establish domicile, a person must live in a particular locality with the  
 125 intention to remain. A place of abode is the physical place where a person dwells.

126 "Special election" means any election that is held pursuant to law to fill a vacancy in office or to hold a  
 127 referendum.

128 "State Board" or "Board" means the State Board of Elections.

129 "Virginia voter registration system" or "voter registration system" means the automated central  
 130 record-keeping system for all voters registered within the Commonwealth that is maintained as provided in  
 131 Article 2 (§ 24.2-404 et seq.) of Chapter 4.

132 "Voting system" means the electronic voting and counting machines used at elections, including direct  
 133 recording electronic machines (DRE), ballot scanner machines, and on-demand ballot printing systems and  
 134 ballot marking devices used to manufacture or mark ballots to be cast by voters on electronic voting and  
 135 counting machines.

136 **§ 24.2-400.1. Persons entitled to register and vote; restoration of rights.**

137 *Any person who is convicted of a felony and sentenced to a period of incarceration for such felony*  
 138 *conviction shall not be entitled to register to vote or to vote for the duration of the period of incarceration,*  
 139 *but he shall be invested with all political rights lost as a result of the felony conviction upon release from*  
 140 *incarceration and shall be entitled to register to vote as provided in this chapter.*

141 **§ 24.2-404. Duties of Department of Elections.**

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

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

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

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

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

154 4. Require the general registrars to delete from the record of registered voters the name of any voter who  
 155 (i) is deceased, (ii) is no longer qualified to vote in the county or city where he is registered due to removal of  
 156 his residence, (iii) has been convicted of a felony *and sentenced to a period of incarceration*, (iv) has been  
 157 adjudicated ~~incapacitated~~ *to lack the capacity to understand the act of voting*, (v) is known not to be a United  
 158 States citizen by reason of reports from the Department of Motor Vehicles pursuant to § 24.2-410.1 or from  
 159 the Department of Elections based on information received from the Systematic Alien Verification for  
 160 Entitlements Program (SAVE Program) pursuant to subsection E, or (vi) is otherwise no longer qualified to  
 161 vote as may be provided by law. Such action shall be taken no later than 30 days after notification from the  
 162 Department. The Department shall promptly provide the information referred to in this subdivision, upon  
 163 receiving it, to general registrars.

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

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

168 7. Provide to each general registrar, at least 16 days prior to a general or primary election and three days  
 169 prior to a special election, an alphabetical list of all registered voters in each precinct or portion of a precinct  
 170 in which the election is being held in the county, city, or town. These precinct lists shall be used as the  
 171 official lists of qualified voters and shall constitute the pollbooks. The Department shall provide instructions  
 172 for the division of the pollbooks and precinct lists into sections to accommodate the efficient processing of  
 173 voter lines at the polls. Prior to any general, primary, or special election, the Department shall provide any  
 174 general registrar, upon his request, with a separate electronic list of all registered voters in the registrar's  
 175 county or city. If electronic pollbooks are used in the locality or electronic voter registration inquiry devices  
 176 are used in precincts in the locality, the Department shall provide a regional or statewide list of registered  
 177 voters to the general registrar of the locality. The Department shall determine whether regional or statewide  
 178 data is provided. Neither the pollbook nor the regional or statewide list of registered voters shall include the  
 179 day and month of birth of the voter, but shall include the voter's year of birth.

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

181 9. Use any source of information that may assist in carrying out the purposes of this section. All agencies  
 182 of the Commonwealth shall cooperate with the Department in procuring and exchanging identification

183 information for the purpose of maintaining the voter registration system. The Department may share any  
184 information that it receives from another agency of the Commonwealth with any Chief Election Officer of  
185 another state for the maintenance of the voter registration system.

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

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

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

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

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

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

209 F. The Department shall report annually by October 1 for the preceding 12 months ending August 31 to  
210 the Committees on Privileges and Elections on each of its activities undertaken to maintain the Virginia voter  
211 registration system and the results of those activities. The Department's report shall be governed by the  
212 provisions of § 2.2-608 and shall encompass activities undertaken pursuant to subdivisions A 9 and 10 and  
213 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,  
214 24.2-410.1, 24.2-427, and 24.2-428. This report shall contain the methodology used in gathering and  
215 analyzing the data. The Commissioner of Elections shall certify that the data included in the report is accurate  
216 and reliable.

217 **§ 24.2-409. Department of State Police to transmit lists of felony convictions to Department of**  
218 **Elections.**

219 ~~The Central Criminal Records Exchange~~ A. Each month, the Department of State Police shall transmit to  
220 the Department of Elections by electronic means ~~(i) a monthly~~ a list of all persons convicted of a felony and  
221 sentenced to a period of incarceration during the preceding month and ~~(ii) an annual list of all persons who~~  
222 ~~have been convicted of a felony, regardless of when the conviction occurred.~~ The list shall be in a format  
223 mutually agreed upon by the Commissioner of Elections and the Department of State Police and shall contain  
224 ~~the convicted person's name; address; county, city, or town of residence; social security number, if any; date~~  
225 ~~and place of birth; and date of conviction,~~ at a minimum, the following identification information for each  
226 person included on the list: (i) his last name, including any other last name used; (ii) his first name, including  
227 any other name used; (iii) his middle name or initial; (iv) his date and place of birth; (v) his social security  
228 number, if any; (vi) his last known address of residence, including the county, city, or town, and (vii) the date  
229 of conviction. ~~The Department shall maintain a permanent record of the information in the lists as part of the~~  
230 ~~voter registration system.~~

231 B. Upon receipt of the monthly list, the Department of Elections shall compare, ~~on a monthly basis,~~ the  
232 contents of the list to the list of all registered voters maintained on the voter registration system and shall  
233 notify the appropriate general registrar ~~of the felony conviction~~ of any registered voter who has been  
234 convicted of a felony and sentenced to a period of incarceration.

235 C. On or before July 1 of each year, the Department of State Police shall transmit to the Department of  
236 Elections by electronic means a list of all persons convicted of a felony and sentenced to a period of  
237 incarceration, regardless of when the conviction occurred. The list shall be in a format mutually agreed upon  
238 by the Commissioner of Elections and the Department of State Police and shall contain, at a minimum, the  
239 information required in clauses (i) through (vi) of subsection A for monthly lists. Upon receipt of the annual  
240 list, the Department shall compare the contents of the list to the list of all registered voters maintained on the  
241 voter registration system and shall notify the appropriate general registrar of the felony conviction of any  
242 registered voter. The general registrars shall have access to the information in the lists to carry out their duties  
243 pursuant to § 24.2-427.

244 **§ 24.2-409.1. Department of Elections to transmit information pertaining to persons convicted of a**

245 **felony in federal court.**

246 Upon receipt of a notice of a felony conviction *and imposition of a sentence of incarceration* sent by a  
 247 United States attorney pursuant to the National Voter Registration Act (52 U.S.C. § 20501 et seq.), the  
 248 Department shall notify the appropriate general registrar of the conviction *and sentence of incarceration*.

249 **§ 24.2-409.2. Information regarding pending releases from incarceration; deadlines for transmittal,**  
 250 **processing.**

251 A. The Department of Corrections and the State Board of Local and Regional Jails shall transmit to the  
 252 Department of Elections certain information related to an incarcerated person with a scheduled date of  
 253 release as follows:

254 1. For any scheduled date of release in the period beginning on the first day of a month through the  
 255 fifteenth day of that month, not later than the sixteenth day of the immediately preceding month; and

256 2. For any scheduled date of release in the period beginning on the sixteenth day of a month through the  
 257 last day of that month, not later than the first day of such month.

258 Such information shall be in a format specified by the Department of Elections and shall include the  
 259 incarcerated person's name; address; county, city, or town of residence; social security number, if any; date  
 260 and place of birth; and scheduled date of release from incarceration.

261 B. Upon the receipt of information transmitted pursuant to subsection A, the Department of Elections  
 262 shall promptly process the information and make all necessary updates in the Virginia voter registration  
 263 system to permit a formerly incarcerated person to register to vote. Such updates shall be completed no later  
 264 than the scheduled date of release for such incarcerated person.

265 **§ 24.2-410. Clerks of circuit courts to furnish lists of certain adjudications.**

266 The clerk of each circuit court shall furnish monthly to the Department of Elections a complete list of all  
 267 persons adjudicated ~~incapacitated~~ *to lack the capacity to understand the act of voting* pursuant to Chapter 20  
 268 (§ 64.2-2000 et seq.) of Title 64.2 or whose ~~incapacity~~ *lack of capacity to understand the act of voting* has  
 269 been recognized pursuant to § 64.2-2115; ~~and therefore "mentally incompetent" for purposes of this title~~  
 270 ~~unless the court order specifically provides otherwise~~; during the preceding month or a statement that no  
 271 adjudications have occurred that month. The list shall contain each such person's name; address; county, city,  
 272 or town of residence; social security number, if any; date and place of birth; and date of adjudication. The  
 273 Commissioner of Elections and the Executive Secretary shall determine the procedure for furnishing such  
 274 lists, which may be by electronic means. The Department shall transmit the information from the list to the  
 275 appropriate general registrars.

276 **§ 24.2-418. Application for registration.**

277 A. Each applicant to register shall provide, subject to felony penalties for making false statements  
 278 pursuant to § 24.2-1016, the information necessary to complete the application to register. Unless physically  
 279 disabled, he shall sign the application. The application to register shall be only on a form or forms prescribed  
 280 by the State Board.

281 The form of the application to register shall require the applicant to provide the following information:  
 282 full name; gender; date of birth; social security number, if any; whether the applicant is presently a United  
 283 States citizen; address of residence in the precinct; place of last previous registration to vote; ~~and~~ whether the  
 284 applicant has ever been adjudicated ~~incapacitated and disqualified to vote~~ *to lack the capacity to understand*  
 285 *the act of voting, and if so, whether the applicant's capacity has been reestablished or convicted of a felony,*  
 286 ~~and if so, whether the applicant's right to vote has been restored; and whether the applicant is serving a~~  
 287 *sentence of incarceration for a felony conviction at the time the application is completed.* The form shall  
 288 contain a statement that whoever votes more than once in any election in the same or different jurisdictions is  
 289 guilty of a Class 6 felony. Unless directed by the applicant or as permitted in § 24.2-411.2 or 24.2-411.3, the  
 290 registration application shall not be pre-populated with information the applicant is required to provide.

291 The form of the application to register shall request that the applicant provide his telephone number and  
 292 email address, but no application shall be denied for failure to provide such information.

293 B. The form shall permit any individual, as follows, or member of his household, to furnish, in addition to  
 294 his residence street address, a post office box address located within the Commonwealth to be included in  
 295 lieu of his street address on the lists of registered voters and persons who voted, which are furnished pursuant  
 296 to §§ 24.2-405 and 24.2-406, on voter registration records made available for public inspection pursuant to  
 297 § 24.2-444, or on lists of absentee voter applicants furnished pursuant to § 24.2-706 or 24.2-710. The voter  
 298 shall comply with the provisions of § 24.2-424 for any change in the post office box address provided under  
 299 this subsection.

300 1. Any active or retired law-enforcement officer, as defined in § 9.1-101 and in 5 U.S.C. § 8331(20), but  
 301 excluding officers whose duties relate to detention as defined in 5 U.S.C. § 8331(20);

302 2. Any party granted a protective order issued by or under the authority of any court of competent  
 303 jurisdiction, including but not limited to courts of the Commonwealth of Virginia;

304 3. Any party who has furnished a signed written statement by the party that he is in fear for his personal  
 305 safety from another person who has threatened or stalked him;

306 4. Any party participating in the address confidentiality program pursuant to § 2.2-515.2;

307 5. Any active or retired federal or Virginia justice, judge, or magistrate and any active or retired attorney  
308 employed by the United States Attorney General or Virginia Attorney General;

309 6. Any person who has been approved to be a foster parent pursuant to Chapter 9 (§ 63.2-900 et seq.) of  
310 Title 63.2;

311 7. Any person who is or has been one of the Commonwealth's electors for President and Vice President of  
312 the United States; and

313 8. Any person who is or has been a member of the State Board of Elections, the Commissioner of  
314 Elections, an employee of the Department of Elections, a member of a local electoral board pursuant to  
315 § 24.2-106, a general registrar pursuant to § 24.2-110, a deputy registrar or employee in the office of the  
316 general registrar pursuant to § 24.2-112, or an officer of election pursuant to § 24.2-115.

317 C. If the applicant formerly resided in another state, the general registrar shall send the information  
318 contained in the applicant's registration application to the appropriate voter registration official or other  
319 authority of another state where the applicant formerly resided, as prescribed in subdivision 15 of § 24.2-114.

320 **§ 24.2-418.2. Registration by persons previously incarcerated; safety net.**

321 A. Any person who was convicted of a felony and sentenced to a period of incarceration for such felony  
322 conviction shall be entitled to register to vote once released from incarceration. When registering to vote,  
323 such person shall not be required to present evidence, including a court order or other documentation, that  
324 he is entitled to register to vote.

325 B. If the Virginia voter registration system indicates an applicant who was previously incarcerated is  
326 ineligible to register to vote due to his sentence of incarceration for a felony conviction, but the applicant is  
327 otherwise qualified, the general registrar shall promptly notify the applicant. Notice shall be in writing and  
328 shall inform the applicant that he may provide a certified copy of his official release document in order to be  
329 registered to vote. Such an applicant who provides a certified copy of his official release document shall be  
330 registered to vote.

331 **§ 24.2-427. Cancellation of registration by voter or for persons known to be deceased or disqualified**  
332 **to vote.**

333 A. Any registered voter may cancel his registration and have his name removed from the central  
334 registration records by signing an authorization for cancellation and mailing or otherwise submitting the  
335 signed authorization to the general registrar. When submitted by any means other than when notarized or in  
336 person, such cancellation must be made at least 22 days prior to an election in order to be valid in that  
337 election. The general registrar shall acknowledge receipt of the authorization and advise the voter in person or  
338 by first-class mail that his registration has been canceled within 10 days of receipt of such authorization.

339 B. The general registrar shall promptly cancel the registration of (i) all persons known by him to be  
340 deceased; (ii) all persons known by him to be disqualified to vote by reason of a felony conviction *and*  
341 *sentence of incarceration for such conviction* or an adjudication of incapacity that the person lacks the  
342 capacity to understand the act of voting; (iii) all persons known by him not to be United States citizens by  
343 reason of reports from the Department of Motor Vehicles pursuant to § 24.2-410.1 or from the Department of  
344 Elections based on information received from the Systematic Alien Verification for Entitlements Program  
345 (SAVE Program) pursuant to subsection E of § 24.2-404 and in accordance with the requirements of  
346 subsection C; (iv) all persons for whom a notice has been received, signed by the voter, or from the  
347 registration official of another jurisdiction that the voter has moved from the Commonwealth; and (v) all  
348 persons for whom a notice has been received, signed by the voter, or from the registration official of another  
349 jurisdiction that the voter has registered to vote outside the Commonwealth, subsequent to his registration in  
350 Virginia. The notice received in clauses (iv) and (v) shall be considered as a written request from the voter to  
351 have his registration cancelled. A voter's registration may be cancelled at any time during the year in which  
352 the general registrar discovers that the person is no longer entitled to be registered. The general registrar shall  
353 provide notice of any cancellation to the person whose registration is cancelled, by mail to the address listed  
354 in the voter's registration record and by email to the email address provided on the voter's registration  
355 application, if one was provided.

356 C. The general registrar shall mail notice promptly to all persons known by him not to be United States  
357 citizens by reason of a report from the Department of Motor Vehicles pursuant to § 24.2-410.1 or from the  
358 Department of Elections based on information received from the Systematic Alien Verification for  
359 Entitlements Program (SAVE Program) pursuant to subsection E of § 24.2-404 prior to cancelling their  
360 registrations. The notice shall inform the person of the report from the Department of Motor Vehicles or from  
361 the Department of Elections and allow the person to submit his sworn statement that he is a United States  
362 citizen within 14 days of the date that the notice was mailed. The general registrar shall cancel the  
363 registrations of such persons who do not respond within 14 days to the notice that they have been reported not  
364 to be United States citizens.

365 D. The general registrar shall (i) process the Department's most recent list of persons convicted of felonies  
366 *and sentenced to a period of incarceration* within 21 to 14 days before any primary or general election, (ii)  
367 cancel the registration of any registered voter shown to have been convicted of a felony ~~who has not provided~~  
368 ~~evidence that his right to vote has been restored~~ *and sentenced to a period of incarceration*, and (iii) send



431 *means or in person, both in the form prescribed by the State Board of Elections for this purpose. Any person*  
432 *being released from incarceration for a felony conviction shall also be provided a certified copy of his*  
433 *official release document for voter registration purposes pursuant to § 24.2-418.2.*

434 **§ 53.1-10. Powers and duties of Director.**

435 The Director shall be the chief executive officer of the Department and shall have the following duties and  
436 powers:

437 1. To supervise and manage the Department and its system of state correctional facilities;

438 2. To implement the standards and goals of the Board as formulated for local and community correctional  
439 programs and facilities and lock-ups;

440 3. To employ such personnel and develop and implement such programs as may be necessary to carry out  
441 the provisions of this title, subject to Chapter 29 (§ 2.2-2900 et seq.) of Title 2.2, and within the limits of  
442 appropriations made therefor by the General Assembly;

443 4. To establish and maintain a general system of schools for persons committed to the institutions and  
444 community-based programs for adults as set forth in § 53.1-67.9. Such system shall include, as applicable,  
445 elementary, secondary, postsecondary, career and technical education, adult, and special education schools.

446 a. The Director shall employ a Superintendent who will oversee the operation of educational and  
447 vocational programs in all institutions and community-based programs for adults as set forth in § 53.1-67.9  
448 operated by the Department. The Department shall be designated as a local education agency (LEA) but shall  
449 not be eligible to receive state funds appropriated for direct aid to public education.

450 b. When the Department employs a teacher licensed by the Board of Education to provide instruction in  
451 the schools of the correctional centers, the Department of Human Resource Management shall establish  
452 salary schedules for the teachers which endeavor to be competitive with those in effect for the school division  
453 in which the correctional center is located.

454 c. The Superintendent shall develop a functional literacy program for inmates testing below a selected  
455 grade level, which shall be at least at the twelfth grade level. The program shall include guidelines for  
456 implementation and test administration, participation requirements, criteria for satisfactory completion, and a  
457 strategic plan for encouraging enrollment at an institution of higher education or an accredited vocational  
458 training program or other accredited continuing education program.

459 d. For the purposes of this section, the term "functional literacy" shall mean those educational skills  
460 necessary to function independently in society, including, but not limited to, reading, writing, comprehension,  
461 and arithmetic computation.

462 e. In evaluating a prisoner's educational needs and abilities pursuant to § 53.1-32.1, the Superintendent  
463 shall create a system for identifying prisoners with learning disabilities.

464 5. a. To make and enter into all contracts and agreements necessary or incidental to the performance of the  
465 Department's duties and the execution of its powers under this title, including, but not limited to, contracts  
466 with the United States, other states, and agencies and governmental subdivisions of this Commonwealth, and  
467 contracts with corporations, partnerships, or individuals which include, but are not limited to, the purchase of  
468 water or wastewater treatment services or both as necessary for the expansion or construction of correctional  
469 facilities;

470 b. Notwithstanding the Director's discretion to make and enter into all contracts and agreements necessary  
471 or incidental to the performance of the Department's duties and the execution of its powers under this title,  
472 upon determining that it shall be desirable to contract with a public or private entity for the provision of  
473 community-based residential services pursuant to Chapter 5 (§ 53.1-177 et seq.), the Director shall notify the  
474 local governing body of the jurisdiction in which the facility is to be located of the proposal and of the  
475 facility's proposed location and provide notice, where requested, to the chief law-enforcement officer for such  
476 locality when an offender is placed in the facility at issue;

477 c. Notwithstanding the Director's discretion to make and enter into all contracts and agreements necessary  
478 or incidental to the performance of the Department's duties and the execution of its powers under this title,  
479 upon determining that it is necessary to transport Virginia prisoners through or to another state and for other  
480 states to transport their prisoners within the Commonwealth, the Director may execute reciprocal agreements  
481 with other states' corrections agencies governing such transports that shall include provisions allowing each  
482 state to retain authority over its prisoners while in the other state.

483 6. To accept, hold and enjoy gifts, donations and bequests on behalf of the Department from the United  
484 States government and agencies and instrumentalities thereof, and any other source, subject to the approval of  
485 the Governor. To these ends, the Director shall have the power to comply with such conditions and execute  
486 such agreements as may be necessary, convenient or desirable;

487 7. To collect data pertaining to the demographic characteristics of adults, and juveniles who are  
488 adjudicated as adults, incarcerated in state correctional institutions, including, but not limited to, the race or  
489 ethnicity, age, and gender of such persons, whether they are a member of a criminal gang, and the types of  
490 and extent to which health-related problems are prevalent among such persons. Beginning July 1, 1997, such  
491 data shall be collected, tabulated quarterly, and reported by the Director to the Governor and the General  
492 Assembly at each regular session of the General Assembly thereafter. The report shall be submitted as

493 provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative  
494 documents and reports;

495 8. To make application to the appropriate state and federal entities so as to provide any prisoner who is  
496 committed to the custody of the state a Department of Motor Vehicles approved identification card that  
497 would expire 90 days from issuance, a copy of his birth certificate if such person was born in the  
498 Commonwealth, and a social security card from the Social Security Administration;

499 9. To forward to the Commonwealth's Attorneys' Services Council, updated on a monthly basis, a list of  
500 all identified criminal gang members incarcerated in state correctional institutions. The list shall contain  
501 identifying information for each criminal gang member, as well as his criminal record;

502 10. To give notice, to the attorney for the Commonwealth prosecuting a defendant for an offense that  
503 occurred in a state correctional facility, of that defendant's known gang membership. The notice shall contain  
504 identifying information for each criminal gang member as well as his criminal record;

505 11. To designate employees of the Department with internal investigations authority to have the same  
506 power as a sheriff or a law-enforcement officer in the investigation of allegations of criminal behavior  
507 affecting the operations of the Department. Such employees shall be subject to any minimum training  
508 standards established by the Department of Criminal Justice Services under § 9.1-102 for law-enforcement  
509 officers prior to exercising any law-enforcement power granted under this subdivision. Nothing in this section  
510 shall be construed to grant the Department any authority over the operation and security of local jails not  
511 specified in any other provision of law. The Department shall investigate allegations of criminal behavior in  
512 accordance with a written agreement entered into with the Department of State Police. The Department shall  
513 not investigate any action falling within the authority vested in the Office of the State Inspector General  
514 pursuant to Chapter 3.2 (§ 2.2-307 et seq.) of Title 2.2 unless specifically authorized by the Office of the  
515 State Inspector General;

516 12. To prescribe and enforce rules prohibiting the possession of obscene materials, as defined in Article 5  
517 (§ 18.2-372 et seq.) of Chapter 8 of Title 18.2, by prisoners incarcerated in state correctional facilities;

518 13. To develop and administer a survey of each correctional officer, as defined in § 53.1-1, who resigns, is  
519 terminated, or is transitioned to a position other than correctional officer for the purpose of evaluating  
520 employment conditions and factors that contribute to or impede the retention of correctional officers;

521 14. To promulgate regulations pursuant to the Administrative Process Act (§ 2.2-4000 et seq.) to  
522 effectuate the provisions of Chapter 5.1 (§ 32.1-162.16 et seq.) of Title 32.1 for human research, as defined in  
523 § 32.1-162.16, to be conducted or authorized by the Department. The regulations shall require the human  
524 research committee to submit to the Governor, the General Assembly, and the Director or his designee at  
525 least annually a report on the human research projects reviewed and approved by the committee and shall  
526 require the committee to report any significant deviations from the proposals as approved;

527 15. To provide, pursuant to § 24.2-314, to the Division of Legislative Services, not later than July 1 of any  
528 year in which the decennial census is taken and in a format specified by the Division of Legislative Services,  
529 information regarding each person incarcerated in a state correctional facility on April 1 of that year. Such  
530 information shall include, for each person incarcerated, (i) a unique identifier, other than his name or offender  
531 identification number, assigned by the Director; (ii) his residential street address at the time of incarceration,  
532 or other legal residence, if known; (iii) his race, his ethnicity as identified by him, and whether he is 18 years  
533 of age or older; and (iv) the street address of the correctional facility in which he was incarcerated on April 1  
534 of that year; ~~and~~

535 16. To develop and implement policies for the accommodation in state correctional facilities of inmate  
536 participation in telehealth appointments, which shall include policies on designating a private space for such  
537 telehealth appointments to occur; *and*

538 17. *To provide to any person being released from incarceration, on the date of his release, (i) an*  
539 *application to register to vote with instructions for returning the application by mail; (ii) information*  
540 *regarding how to register to vote by electronic means or in person, in the form prescribed by the State Board*  
541 *of Elections for this purpose, and (iii) a certified copy of his official release document for voter registration*  
542 *purposes pursuant to § 24.2-418.2.*

543 **§ 64.2-2000. Definitions.**

544 As used in this chapter, unless the context requires a different meaning:

545 "Advance directive" shall have the same meaning as provided in § 54.1-2982.

546 "Annual report" means the report required to be filed by a guardian pursuant to § 64.2-2020.

547 "Conservator" means a person appointed by the court who is responsible for managing the estate and  
548 financial affairs of an incapacitated person and, where the context plainly indicates, includes a "limited  
549 conservator" or a "temporary conservator." "Conservator" includes (i) a local or regional program designated  
550 by the Department for Aging and Rehabilitative Services as a public conservator pursuant to Article 6  
551 (§ 51.5-149 et seq.) of Chapter 14 of Title 51.5 or (ii) any local or regional tax-exempt charitable organization  
552 established pursuant to § 501(c)(3) of the Internal Revenue Code to provide conservatorial services to  
553 incapacitated persons. Such tax-exempt charitable organization shall not be a provider of direct services to  
554 the incapacitated person. If a tax-exempt charitable organization has been designated by the Department for

555 Aging and Rehabilitative Services as a public conservator, it may also serve as a conservator for other  
556 individuals.

557 "Estate" includes both real and personal property.

558 "Facility" means a state or licensed hospital, training center, psychiatric hospital, or other type of  
559 residential or outpatient mental health or mental retardation facility. When modified by the word "state,"  
560 "facility" means a state hospital or training center operated by the Department of Behavioral Health and  
561 Developmental Services, including the buildings and land associated with it.

562 "Guardian" means a person appointed by the court who has the powers and duties set out in § 64.2-2019,  
563 or § 63.2-1609 if applicable, and who is responsible for the personal affairs of an incapacitated person,  
564 including responsibility for making decisions regarding the person's support, care, health, safety, habilitation,  
565 education, therapeutic treatment, and, if not inconsistent with an order of involuntary admission, residence.  
566 Where the context plainly indicates, the term includes a "limited guardian" or a "temporary guardian." The  
567 term includes (i) a local or regional program designated by the Department for Aging and Rehabilitative  
568 Services as a public guardian pursuant to Article 6 (§ 51.5-149 et seq.) of Chapter 14 of Title 51.5 or (ii) any  
569 local or regional tax-exempt charitable organization established pursuant to § 501(c)(3) of the Internal  
570 Revenue Code to provide guardian services to incapacitated persons. Such tax-exempt charitable organization  
571 shall not be a provider of direct services to the incapacitated person. If a tax-exempt charitable organization  
572 has been designated by the Department for Aging and Rehabilitative Services as a public guardian, it may  
573 also serve as a guardian for other individuals.

574 "Guardian ad litem" means an attorney appointed by the court to represent the interests of the respondent  
575 and whose duties include evaluation of the petition for guardianship or conservatorship and filing a report  
576 with the court pursuant to § 64.2-2003.

577 "Incapacitated person" means an adult who has been found by a court to be incapable of receiving and  
578 evaluating information effectively or responding to people, events, or environments to such an extent that the  
579 individual lacks the capacity to (i) meet the essential requirements for his health, care, safety, or therapeutic  
580 needs without the assistance or protection of a guardian or (ii) manage property or financial affairs or provide  
581 for his support or for the support of his legal dependents without the assistance or protection of a conservator.  
582 A finding that the individual displays poor judgment alone shall not be considered sufficient evidence that the  
583 individual is an incapacitated person within the meaning of this definition. A finding that a person is  
584 incapacitated shall *not* be construed as a finding that the person is "~~mentally incompetent~~" as that term is used  
585 ~~in~~ *lacks the capacity to understand the act of voting for purposes of* Article II, Section 1 of the Constitution of  
586 Virginia and Title 24.2 unless the court order entered pursuant to this chapter specifically provides otherwise.

587 "Individualized education plan" or "IEP" means a plan or program developed annually to ensure that a  
588 child who has a disability identified under the law and is attending an elementary or secondary educational  
589 institution receives specialized instruction and related services as provided by 20 U.S.C. § 1414.

590 "Individual receiving services" or "individual" means a current direct recipient of public or private mental  
591 health, developmental, or substance abuse treatment, rehabilitation, or habilitation services and includes the  
592 terms "consumer," "patient," "resident," "recipient," or "client."

593 "Limited conservator" means a person appointed by the court who has only those responsibilities for  
594 managing the estate and financial affairs of an incapacitated person as specified in the order of appointment.

595 "Limited guardian" means a person appointed by the court who has only those responsibilities for the  
596 personal affairs of an incapacitated person as specified in the order of appointment.

597 "Mental illness" means a disorder of thought, mood, emotion, perception, or orientation that significantly  
598 impairs judgment, behavior, capacity to recognize reality, or ability to address basic life necessities and  
599 requires care and treatment for the health, safety, or recovery of the individual or for the safety of others.

600 "Petition" means the document filed with a circuit court to initiate a proceeding to appoint a guardian or  
601 conservator.

602 "Power of attorney" has the same meaning ascribed to it in § 64.2-1600.

603 "Property" includes both real and personal property.

604 "Respondent" means an allegedly incapacitated person for whom a petition for guardianship or  
605 conservatorship has been filed.

606 "Supported decision-making agreement" has the same meaning ascribed to it in § 37.2-314.3.

607 "Temporary conservator" means a person appointed by a court for a limited duration of time as specified  
608 in the order of appointment.

609 "Temporary guardian" means a person appointed by a court for a limited duration of time as specified in  
610 the order of appointment.

611 "Transition plan" means the plan that is required as part of the IEP used to help students and families  
612 prepare for the future after the student reaches the age of majority.

613 **§ 64.2-2009. Court order of appointment; limited guardianships and conservatorships.**

614 A. The court's order appointing a guardian or conservator shall (i) state the nature and extent of the  
615 person's incapacity; (ii) define the powers and duties of the guardian or conservator so as to permit the  
616 incapacitated person to care for himself and manage property to the extent he is capable; (iii) specify whether

617 the appointment of a guardian or conservator is limited to a specified length of time, as the court in its  
 618 discretion may determine; (iv) specify the legal disabilities, if any, of the person in connection with the  
 619 finding of incapacity, including ~~but not limited to mental competency~~ *whether the person lacks the capacity*  
 620 *to understand the act of voting* for purposes of Article II, § 1 of the Constitution of Virginia or Title 24.2; (v)  
 621 include any limitations deemed appropriate following consideration of the factors specified in § 64.2-2007;  
 622 (vi) set the bond of the guardian and the bond and surety, if any, of the conservator; and (vii) where a petition  
 623 is brought prior to the incapacitated person's eighteenth birthday, pursuant to subsection C of § 64.2-2001,  
 624 whether the order shall take effect immediately upon entry or on the incapacitated person's eighteenth  
 625 birthday.

626 A1. Beginning July 1, 2023, the court shall set a schedule in the order of appointment for periodic review  
 627 hearings, to be held no later than one year after the initial appointment and no later than every three years  
 628 thereafter, unless the court orders that such hearings are to be waived because they are unnecessary or  
 629 impracticable or that such hearings shall be held on such other schedule as the court shall determine. Any  
 630 such determination to waive the hearing or use a schedule differing from that prescribed in this subsection  
 631 shall be supported in the order and address the reason for such determination, including (i) the likelihood that  
 632 the respondent's condition will improve or the respondent will regain capacity, (ii) whether concerns or  
 633 questions were raised about the suitability of the person appointed as a guardian or conservator at the time of  
 634 the initial appointment, and (iii) whether the appointment of a guardian or conservator or the appointment of  
 635 the specifically appointed guardian or conservator was contested by the respondent or another party.

636 The court shall not waive the initial periodic review hearing scheduled pursuant to this subsection where  
 637 the petitioner for guardianship or conservatorship is a hospital, convalescent home, or certified nursing  
 638 facility licensed by the Department of Health pursuant to § 32.1-123; an assisted living facility, as defined in  
 639 § 63.2-100, or any other similar institution; or a health care provider other than a family member. If the  
 640 petitioner is a hospital, convalescent home, or certified nursing facility licensed by the Department of Health  
 641 pursuant to § 32.1-123 or an assisted living facility as defined in § 63.2-100, nothing in this chapter shall  
 642 require such petitioner to attend any periodic review hearing.

643 Any person may file a petition, which may be on a form developed by the Office of the Executive  
 644 Secretary of the Supreme Court of Virginia, to hold a periodic review hearing prior to the scheduled date set  
 645 forth in the order of appointment. The court shall hold an earlier hearing upon good cause shown. At such a  
 646 hearing, the court shall review the schedule set forth in the order of appointment and determine whether  
 647 future periodic review hearings are necessary or may be waived.

648 A2. If the court has ordered a hearing pursuant to subsection A1, the court shall appoint a guardian ad  
 649 litem, who shall conduct an investigation in accordance with the stated purpose of the hearing and file a  
 650 report. The incapacitated person has a right to be represented by counsel, and the provisions of § 64.2-2006  
 651 shall apply, mutatis mutandis. The guardian ad litem shall provide notice of the hearing to the incapacitated  
 652 person and to all individuals entitled to notice as identified in the court order of appointment. Fees and costs  
 653 shall be paid in accordance with the provisions of §§ 64.2-2003 and 64.2-2008. The court shall enter an order  
 654 reflecting any findings made during the review hearing and any modification to the guardianship or  
 655 conservatorship.

656 B. The court may appoint a limited guardian for an incapacitated person who is capable of addressing  
 657 some of the essential requirements for his care for the limited purpose of medical decision making, decisions  
 658 about place of residency, or other specific decisions regarding his personal affairs. The court may appoint a  
 659 limited conservator for an incapacitated person who is capable of managing some of his property and  
 660 financial affairs for limited purposes that are specified in the order.

661 C. Unless the guardian has a professional relationship with the incapacitated person or is employed by or  
 662 affiliated with a facility where the person resides, the court's order may authorize the guardian to consent to  
 663 the admission of the person to a facility pursuant to § 37.2-805.1, upon finding by clear and convincing  
 664 evidence that (i) the person has severe and persistent mental illness that significantly impairs the person's  
 665 capacity to exercise judgment or self-control, as confirmed by the evaluation of a licensed psychiatrist; (ii)  
 666 such condition is unlikely to improve in the foreseeable future; and (iii) the guardian has formulated a plan  
 667 for providing ongoing treatment of the person's illness in the least restrictive setting suitable for the person's  
 668 condition.

669 D. A guardian need not be appointed for a person who has appointed an agent under an advance directive  
 670 executed in accordance with the provisions of Article 8 (§ 54.1-2981 et seq.) of Chapter 29 of Title 54.1,  
 671 unless the court determines that the agent is not acting in accordance with the wishes of the principal or there  
 672 is a need for decision making outside the purview of the advance directive. A guardian need not be appointed  
 673 for a person where a health care decision is made pursuant to, and within the scope of, the Health Care  
 674 Decisions Act (§ 54.1-2981 et seq.).

675 A conservator need not be appointed for a person (i) who has appointed an agent under a durable power of  
 676 attorney, unless the court determines pursuant to the Uniform Power of Attorney Act (§ 64.2-1600 et seq.)  
 677 that the agent is not acting in the best interests of the principal or there is a need for decision making outside  
 678 the purview of the durable power of attorney or (ii) whose only or major source of income is from the Social

679 Security Administration or other government program and who has a representative payee.

680 E. All orders appointing a guardian shall include the following statements in conspicuous bold print in at  
681 least 14-point type:

682 1. Pursuant to § 64.2-2009 of the Code of Virginia, (name of guardian), is hereby appointed as guardian of  
683 (name of respondent) with all duties and powers granted to a guardian pursuant to § 64.2-2019 of the Code of  
684 Virginia, including but not limited to: (enter a statement of the rights removed and retained, if any, at the time  
685 of appointment; whether the appointment of a guardian is a full guardianship, public guardianship pursuant to  
686 § 64.2-2010 of the Code of Virginia, limited guardianship pursuant to § 64.2-2009 of the Code of Virginia, or  
687 temporary guardianship; and the duration of the appointment).

688 2. Pursuant to the provisions of subsection E of § 64.2-2019 of the Code of Virginia, a guardian, to the  
689 extent possible, shall encourage the incapacitated person to participate in decisions, shall consider the  
690 expressed desires and personal values of the incapacitated person to the extent known, and shall not restrict  
691 an incapacitated person's ability to communicate with, visit, or interact with other persons with whom the  
692 incapacitated person has an established relationship, unless such restriction is reasonable to prevent physical,  
693 mental, or emotional harm to or financial exploitation of such incapacitated person and after consideration of  
694 the expressed wishes of the incapacitated person. Such restrictions shall only be imposed pursuant to  
695 § 64.2-2019.1.

696 3. Pursuant to § 64.2-2020 of the Code of Virginia, an annual report shall be filed by the guardian with the  
697 local department of social services for the jurisdiction where the incapacitated person resides.

698 4. Pursuant to § 64.2-2012 of the Code of Virginia, all guardianship orders are subject to petition for  
699 restoration of the incapacitated person to capacity; modification of the type of appointment or areas of  
700 protection, management, or assistance granted; or termination of the guardianship. In lieu of such a petition,  
701 if the person subject to the guardianship is not represented by counsel, such person may initiate the process  
702 by sending informal written communications to the court. All orders appointing a guardian, conservator, or  
703 both shall include the current mailing address, email address, and physical address of the court issuing the  
704 order and to which such informal written communication shall be directed.

705 **2. That Chapter 12.1 (§§ 53.1-231.1 and 53.1-231.2) of Title 53.1 of the Code of Virginia is repealed.**

706 **[ 3. That the provisions of this act shall become effective on January 1, 2027. ]**