

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact §§ 2.2-3711, as it is currently effective and as it shall become effective,*  
 3 *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,*  
 4 *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*  
 5 *section numbered 24.2-407.2, by adding in Chapter 4 of Title 24.2 an article numbered 2.1 and by adding*  
 6 *in such article sections numbered 24.2-407.3 and 24.2-410.3 through 24.2-410.6, and by adding a section*  
 7 *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*  
 8 *24.2-428.2 of the Code of Virginia, relating to voter registration; list maintenance activities; cancellation*  
 9 *procedures; record matches; required identification information; data standards.*

10 [H 972]

11 Approved

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

13 **1. That §§ 2.2-3711, as it is currently effective and as it shall become effective, 24.2-401, 24.2-404,**  
 14 **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**  
 15 **24.2-709 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended**  
 16 **by adding a section numbered 24.2-407.2, by adding in Chapter 4 of Title 24.2 an article numbered 2.1**  
 17 **and by adding in such article sections numbered 24.2-407.3 and 24.2-410.3 through 24.2-410.6, and by**  
 18 **adding a section numbered 24.2-426.1 as follows:**

19 **§ 2.2-3711. (Effective until July 1, 2026) Closed meetings authorized for certain limited purposes.**

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

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

31 2. Discussion or consideration of admission or disciplinary matters or any other matters that would  
 32 involve the disclosure of information contained in a scholastic record concerning any student of any public  
 33 institution of higher education in the Commonwealth or any state school system. However, any such student,  
 34 legal counsel and, if the student is a minor, the student's parents or legal guardians shall be permitted to be  
 35 present during the taking of testimony or presentation of evidence at a closed meeting, if such student,  
 36 parents, or guardians so request in writing and such request is submitted to the presiding officer of the  
 37 appropriate board.

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

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

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

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

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

55 8. Consultation with legal counsel employed or retained by a public body regarding specific legal matters  
 56 requiring the provision of legal advice by such counsel. Nothing in this subdivision shall be construed to

57 permit the closure of a meeting merely because an attorney representing the public body is in attendance or is  
58 consulted on a matter.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 181 29. Discussion of the award of a public contract involving the expenditure of public funds, including  
182 interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in  
183 an open session would adversely affect the bargaining position or negotiating strategy of the public body.
- 184 30. Discussion or consideration of grant or loan application information subject to the exclusion in  
185 subdivision 17 of § 2.2-3705.6 by the Commonwealth Health Research Board.
- 186 31. Discussion or consideration by the Commitment Review Committee of information subject to the  
187 exclusion in subdivision 5 of § 2.2-3705.2 relating to individuals subject to commitment as sexually violent  
188 predators under Chapter 9 (§ 37.2-900 et seq.) of Title 37.2.
- 189 32. Discussion or consideration of confidential proprietary information and trade secrets developed and  
190 held by a local public body providing certain telecommunication services or cable television services and  
191 subject to the exclusion in subdivision 18 of § 2.2-3705.6. However, the exemption provided by this  
192 subdivision shall not apply to any authority created pursuant to the BVU Authority Act (§ 15.2-7200 et seq.).
- 193 33. Discussion or consideration by a local authority created in accordance with the Virginia Wireless  
194 Service Authorities Act (§ 15.2-5431.1 et seq.) of confidential proprietary information and trade secrets  
195 subject to the exclusion in subdivision 19 of § 2.2-3705.6.
- 196 34. Discussion or consideration by the State Board of Elections or local electoral boards of voting security  
197 matters made confidential pursuant to § 24.2-410.2 24.2-407.2 or 24.2-625.1.
- 198 35. Discussion or consideration by the Forensic Science Board or the Scientific Advisory Committee  
199 created pursuant to Article 2 (§ 9.1-1109 et seq.) of Chapter 11 of Title 9.1 of criminal investigative files.
- 200 36. Discussion or consideration by the Brown v. Board of Education Scholarship Committee of  
201 information or confidential matters subject to the exclusion in subdivision A 3 of § 2.2-3705.4, and meetings  
202 of the Committee to deliberate concerning the annual maximum scholarship award, review and consider  
203 scholarship applications and requests for scholarship award renewal, and cancel, rescind, or recover  
204 scholarship awards.
- 205 37. Discussion or consideration by the Virginia Port Authority of information subject to the exclusion in  
206 subdivision 1 of § 2.2-3705.6 related to certain proprietary information gathered by or for the Virginia Port  
207 Authority.
- 208 38. Discussion or consideration by the Board of Trustees of the Virginia Retirement System acting  
209 pursuant to § 51.1-124.30, by the Investment Advisory Committee appointed pursuant to § 51.1-124.26, by  
210 any local retirement system, acting pursuant to § 51.1-803, by the Board of the Commonwealth Savers Plan  
211 acting pursuant to § 23.1-706, or by the Commonwealth Savers Plan's Investment Advisory Committee  
212 appointed pursuant to § 23.1-702 of information subject to the exclusion in subdivision 24 of § 2.2-3705.7.
- 213 39. Discussion or consideration of information subject to the exclusion in subdivision 3 of § 2.2-3705.6  
214 related to economic development.
- 215 40. Discussion or consideration by the Board of Education of information relating to the denial,  
216 suspension, or revocation of teacher licenses subject to the exclusion in subdivision 11 of § 2.2-3705.3.
- 217 41. Those portions of meetings of the Virginia Military Advisory Council or any commission created by  
218 executive order for the purpose of studying and making recommendations regarding preventing closure or  
219 realignment of federal military and national security installations and facilities located in Virginia and  
220 relocation of such facilities to Virginia, or a local or regional military affairs organization appointed by a  
221 local governing body, during which there is discussion of information subject to the exclusion in subdivision  
222 8 of § 2.2-3705.2.
- 223 42. Discussion or consideration by the Board of Trustees of the Veterans Services Foundation of  
224 information subject to the exclusion in subdivision 28 of § 2.2-3705.7 related to personally identifiable  
225 information of donors.
- 226 43. Discussion or consideration by the Virginia Tobacco Region Revitalization Commission of  
227 information subject to the exclusion in subdivision 23 of § 2.2-3705.6 related to certain information contained  
228 in grant applications.
- 229 44. Discussion or consideration by the board of directors of the Commercial Space Flight Authority of  
230 information subject to the exclusion in subdivision 24 of § 2.2-3705.6 related to rate structures or charges for  
231 the use of projects of, the sale of products of, or services rendered by the Authority and certain proprietary  
232 information of a private entity provided to the Authority.
- 233 45. Discussion or consideration of personal and proprietary information related to the resource  
234 management plan program and subject to the exclusion in (i) subdivision 25 of § 2.2-3705.6 or (ii) subsection  
235 E of § 10.1-104.7. This exclusion shall not apply to the discussion or consideration of records that contain  
236 information that has been certified for release by the person who is the subject of the information or  
237 transformed into a statistical or aggregate form that does not allow identification of the person who supplied,  
238 or is the subject of, the information.
- 239 46. Discussion or consideration by the Board of Directors of the Virginia Alcoholic Beverage Control  
240 Authority of information subject to the exclusion in subdivision 1 of § 2.2-3705.3 related to investigations of  
241 applicants for licenses and permits and of licensees and permittees.
- 242 47. Discussion or consideration of grant, loan, or investment application records subject to the exclusion

243 in subdivision 28 of § 2.2-3705.6 for a grant, loan, or investment pursuant to Article 11 (§ 2.2-2351 et seq.)  
244 of Chapter 22.

245 48. Discussion or development of grant proposals by a regional council established pursuant to Article 26  
246 (§ 2.2-2484 et seq.) of Chapter 24 to be submitted for consideration to the Virginia Growth and Opportunity  
247 Board.

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

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

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

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

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

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

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

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

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

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

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

292 **§ 2.2-3711. (Effective July 1, 2026) Closed meetings authorized for certain limited purposes.**

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

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

304 2. Discussion or consideration of admission or disciplinary matters or any other matters that would

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

365 17. Deliberations of the Virginia Lottery Board in a licensing appeal action conducted pursuant to  
366 subsection D of § 58.1-4007 regarding the denial or revocation of a license of a lottery sales agent; and

367 discussion, consideration or review of Virginia Lottery matters related to proprietary lottery game  
 368 information and studies or investigations excluded from disclosure under subdivision 6 of § 2.2-3705.3 and  
 369 subdivision 11 of § 2.2-3705.7.

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

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

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

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

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

425 23. Discussion or consideration by the Virginia Commonwealth University Health System Authority or  
 426 the board of visitors of Virginia Commonwealth University of any of the following: the acquisition or  
 427 disposition by the Authority of real property, equipment, or technology software or hardware and related  
 428 goods or services, where disclosure would adversely affect the bargaining position or negotiating strategy of

429 the Authority; matters relating to gifts or bequests to, and fund-raising activities of, the Authority; grants and  
430 contracts for services or work to be performed by the Authority; marketing or operational strategies plans of  
431 the Authority where disclosure of such strategies or plans would adversely affect the competitive position of  
432 the Authority; and members of the Authority's medical and teaching staffs and qualifications for  
433 appointments thereto.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

491 41. Those portions of meetings of the Virginia Military Advisory Council or any commission created by  
 492 executive order for the purpose of studying and making recommendations regarding preventing closure or  
 493 realignment of federal military and national security installations and facilities located in Virginia and  
 494 relocation of such facilities to Virginia, or a local or regional military affairs organization appointed by a  
 495 local governing body, during which there is discussion of information subject to the exclusion in subdivision  
 496 8 of § 2.2-3705.2.

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

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

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

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

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

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

519 48. Discussion or development of grant proposals by a regional council established pursuant to Article 26  
 520 (§ 2.2-2484 et seq.) of Chapter 24 to be submitted for consideration to the Virginia Growth and Opportunity  
 521 Board.

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

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

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

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

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

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

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

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

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

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

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

566 **§ 24.2-401. Persons moving from precinct.**

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

576 **§ 24.2-404. Duties of Department of Elections.**

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

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

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

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

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

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

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

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

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

610 7- 8. Provide to each general registrar, at least 16 days prior to a general or primary election and three  
 611 days prior to a special election, an alphabetical list of all registered voters in each precinct or portion of a  
 612 precinct in which the election is being held in the county, city, or town. These precinct lists shall be used as  
 613 the official lists of qualified voters and shall constitute the pollbooks. The Department shall provide  
 614 instructions for the division of the pollbooks and precinct lists into sections to accommodate the efficient

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

622 ~~8.~~ 9. Acquire by purchase, lease, or contract equipment necessary to execute the duties of the Department.

623 ~~9.~~ 10. Use any source of information that may assist in carrying out the purposes of this section. All  
 624 agencies of the Commonwealth shall cooperate with the Department in procuring and exchanging  
 625 identification information for the purpose of maintaining the voter registration system. The Department may  
 626 share any information that it receives from another agency of the Commonwealth with any Chief Election  
 627 Officer of another state for the maintenance of the voter registration system.

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

633 ~~11.~~ 12. Reprint and impose a reasonable charge for the sale of any part of Title 24.2, lists of precincts and  
 634 polling places, statements of election results by precinct, and any other items required of the Department by  
 635 law. Receipts from such sales shall be credited to the Board for reimbursement of printing expenses.

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

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

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

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

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

665 **§ 24.2-407.2. Security of the Virginia voter registration system.**

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

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

677 electoral board.

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

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

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

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

701 Article 2.1.

702 List Maintenance.

703 **§ 24.2-407.3. Duty of Department of Elections; list maintenance activities; annual review; report.**

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

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

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

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

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

738 **§ 24.2-408. Lists of deceased voters; State Registrar of Vital Records; Social Security**

739 **Administration.**

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

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

750 C. The Department shall compare the contents of such lists to identify record matches in accordance with  
 751 § 24.2-407.3, and the general registrars shall have access to the information in the lists necessary to carry  
 752 out their duties pursuant to § 24.2-427. The Department shall maintain a permanent record of the information  
 753 in the lists as part of the voter registration system, and the general registrars shall use the information in the  
 754 lists to carry out their duties pursuant to § 24.2-427. Information in the lists shall be confidential and  
 755 consistent with the requirements of § 32.1-271.

756 **§ 24.2-409. Lists of persons convicted of felonies; Department of State Police.**

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

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

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

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

786 **§ 24.2-410. Lists of certain adjudications; clerks of circuit courts.**

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

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

801 registered voters maintained on the voter registration system to identify record matches in accordance with  
 802 § 24.2-407.3. The general registrars shall have access to the information in the lists necessary to carry out  
 803 their duties pursuant to § 24.2-427.

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

806 **§ 24.2-410.1. Lists of noncitizens; Department of Motor Vehicles.**

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

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

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

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

829 **§ 24.2-410.3. Exchange of registered voter lists with other states.**

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

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

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

847 **§ 24.2-410.4. Regular periodic review of registration records; confirmation notification process.**

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

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

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

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

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

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

874 **§ 24.2-410.5. Placement of inactive status; other initiating events for confirmation notification process.**

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

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

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

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

883 a. An acknowledgment of registration;

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

885 c. An absentee ballot or application for an absentee ballot sent or provided in accordance with Chapter 7  
886 (§ 24.2-700 et seq.);

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

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

889 f. Any official voter registration or election mail.

890 **§ 24.2-410.6. Return of registered voter to active status; cancellation after period of inactivity.**

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

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

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

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

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

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

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

910 **§ 24.2-426.1. Cancellation of registration by voter.**

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

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

923 **§ 24.2-427. Cancellation of registration for persons known to be deceased or disqualified to vote.**

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

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

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

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

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

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

987 ~~§ 24.2-420.1~~ who (i) is a member of a uniformed service of the United States, as defined in § 24.2-452, on  
 988 active duty; (ii) resides temporarily outside of the United States; or (iii) is a spouse or dependent residing  
 989 with a person listed in clause (i) or (ii), and shall reinstate the registration of any such person who is  
 990 otherwise a qualified voter covered by subsection A of § 24.2-420.1 and who applies to vote within four  
 991 years of the date of cancellation.

992 **§ 24.2-435. Records related to cancellation of registration; retention period.**

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

999 **§ 24.2-444. Duties of general registrars and Department of Elections as to voter registration**  
 1000 **records; public inspection; exceptions.**

1001 A. Registration records shall be kept and preserved by the general registrar in compliance with  
 1002 §§ 2.2-3803, 2.2-3808, and 24.2-114. The Department shall provide to each general registrar, for each  
 1003 precinct in his county or city, lists of registered voters for inspection. The lists shall contain the name,  
 1004 address, year of birth, gender and all election districts applicable to each registered voter. The lists shall be  
 1005 opened to public inspection at the office of the general registrar when the office is open for business. New  
 1006 lists shall be provided not less than once each year to all localities except those in which an updated list is  
 1007 made available electronically for public inspection, and supplements containing additions, deletions, and  
 1008 changes shall be provided not less than (i) weekly during the 60 days preceding any general election and (ii)  
 1009 monthly at other times. Notwithstanding any other provision of law regarding the retention of records, upon  
 1010 receipt of any new complete list, the general registrar shall destroy the obsolete list and its supplements. The  
 1011 Department shall provide to each general registrar lists of persons denied registration for public inspection.  
 1012 Such lists may be provided electronically through the Virginia voter registration system and produced in  
 1013 whole or in part upon a request for public inspection.

1014 B. The general registrars shall maintain for at least two years and shall make available for public  
 1015 inspection and copying and, where available, photocopying at a reasonable cost, all records concerning the  
 1016 implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency  
 1017 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,~~  
 1018 including lists of the names and addresses of all persons to whom notices are sent, and information  
 1019 concerning whether each person has responded to the notice as of the date that inspection of the records is  
 1020 made.

1021 C. No list provided by the Department under subsection A nor any record made available for public  
 1022 inspection under subsection B shall contain any of the following information: (i) an individual's social  
 1023 security number, or any part thereof; (ii) the residence address of an individual who has furnished a post  
 1024 office box address in lieu of his residence address as authorized by subsection B of § 24.2-418; (iii) the  
 1025 declination by an individual to register to vote and related records; (iv) the identity of a voter registration  
 1026 agency through which a particular voter is registered; or (v) the day and month of birth of an individual. No  
 1027 voter registration records other than the lists provided by the Department under subsection A and the records  
 1028 made available under subsection B shall be open to public inspection.

1029 **§ 24.2-610. Materials at polling places.**

1030 A. The Department shall provide copies of this title to each member of the electoral boards and to each  
 1031 general registrar for each precinct in the county or city. The general registrar shall furnish a copy of this title  
 1032 to each precinct for the use of the officers of election on election day.

1033 B. Pursuant to subdivision A 7 8 of § 24.2-404, the Department shall transmit to the general registrar of  
 1034 each county and city pollbooks for each precinct in which the election is to be held. For each primary and  
 1035 general election, the general registrar shall produce and distribute a printed copy of the pollbook to each  
 1036 precinct. The data elements printed or otherwise provided for each voter on the pollbooks shall be uniform  
 1037 throughout the Commonwealth.

1038 C. The electoral board, general registrar, and officers of election shall comply with the requirements of  
 1039 this title and the instructions of the State Board to ensure that the pollbooks, ballots, voting equipment keys,  
 1040 and other materials and supplies required to conduct the election are delivered to the polling place before 6:00  
 1041 a.m. on the day of the election and delivered to the proper official following the election.

1042 **§ 24.2-611. Form and signing of pollbooks; records of persons voting; electronic pollbooks.**

1043 A. The following oath shall be on a form prescribed by the State Board, administered to all officers of  
 1044 election, and kept by the officers of election with the pollbook:

1045 "I do solemnly swear (or affirm) that I will perform the duties for this election according to law and the  
 1046 best of my ability, and that I will studiously endeavor to prevent fraud, deceit, and abuse in conducting this  
 1047 election."

1048 The oath shall be administered to each officer of election by the general registrar, a member of the

1049 electoral board, or an officer of election designated by the general registrar and secretary of the electoral  
 1050 board, who shall be so identified on the form. The oath shall be signed by each officer of election and the  
 1051 person administering the oath. The pollbook shall be marked to identify the election for which it is used.

1052 B. The Department shall provide the pollbook pursuant to subdivision A 7 8 of § 24.2-404. The pollbook  
 1053 shall (i) provide a space for the officer of election to record the name and consecutive number of the voter at  
 1054 the time he offers to vote and (ii) be retained in accordance with the provisions governing pollbooks in this  
 1055 title. The Department shall make available a numerical check sheet required to be used with pollbooks in  
 1056 printed form to determine the consecutive number to be recorded with the name of the voter by the officer of  
 1057 election. In electronic pollbooks, the consecutive number shall be entered automatically when the officer of  
 1058 election records that the voter has voted. When the name and number of the last qualified voter have been  
 1059 entered on the pollbook, the officer of election responsible for that pollbook shall sign a statement on the  
 1060 check sheet, or on a separate form if an electronic pollbook is used, certifying the number of qualified  
 1061 registrants who have voted. The Department shall provide instructions to the local electoral boards, general  
 1062 registrars, and officers of election for the conduct of the election and for procedures for entering a voting  
 1063 record for each voter and recording each voter's name, including voters unable to enter the polling place, and  
 1064 for verifying the accurate entry of the voting record for each registrant on the Virginia Voter Registration  
 1065 System. Notwithstanding any other provision of this title, for any election held on or after November 1, 2020,  
 1066 all pollbooks provided by the Department shall be in electronic form only.

1067 C. The Department shall incorporate safeguards to assure that the records of the election, including the  
 1068 pollbook, voter count sheets, or other alternative records, will provide promptly an accurate and secure record  
 1069 of those who have voted.

1070 D. Any locality may expend its own funds to purchase electronic pollbooks that have been approved for  
 1071 use in elections by the State Board.

1072 E. The general registrar shall produce a paper copy of the pollbook specified in subsection B for each  
 1073 precinct in any primary or general election.

1074 F. In the event that the electronic pollbooks for a precinct fail to operate properly and no alternative voter  
 1075 list or pollbook is available, the officers of election, in accordance with the instructions and materials  
 1076 approved by the State Board, shall (i) maintain a written list of the persons voting and (ii) provide to each  
 1077 person voting a provisional ballot to be cast as provided in § 24.2-653.

1078 **§ 24.2-703.1. Permanent absentee voter list.**

1079 A. Any registered voter shall be eligible to file a special application to receive absentee ballots for all  
 1080 elections in which he is eligible to vote. Such application shall be on a form approved by the State Board. The  
 1081 absentee ballots sent to a voter on the permanent absentee voter list shall be sent to the address in the voter's  
 1082 registration record, except as provided in subdivision C 1.

1083 B. In accordance with procedures established by the State Board, the general registrar shall retain the  
 1084 application, enroll the applicant on a permanent absentee voter list, and process the applicant's request for an  
 1085 absentee ballot for each succeeding election. The applicant shall specify by party designation the primary  
 1086 ballots he is requesting.

1087 C. The State Board shall prescribe the process by which a voter on the permanent absentee voter list may:

1088 1. Request that his absentee ballot for (i) a single election or (ii) a primary election and the following  
 1089 general election be sent to an address other than the address on his voter registration record.

1090 2. Request a primary ballot for a political party other than the one he specified on his application for  
 1091 permanent absentee voter status for a single primary election.

1092 3. Change his political party selection for all succeeding primary elections.

1093 D. A voter shall be removed from the permanent absentee voter list if (i) the voter requests in writing to  
 1094 be removed from the list, (ii) the voter's registration is canceled pursuant to § 24.2-427, (iii) the voter's  
 1095 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)  
 1096 the voter moves to a different address not in the same county or city of his registration.

1097 **§ 24.2-709. Ballot to be returned in manner prescribed by law.**

1098 A. Any ballot returned to the office of the general registrar or to a drop-off location in any manner except  
 1099 as prescribed by law shall be void. Absentee ballots shall be returned to the general registrar or to a drop-off  
 1100 location before the closing of the polls. Any voter who is in line to return an absentee ballot at a drop-off  
 1101 location by 7:00 p.m. on the day of the election shall be permitted to deposit his absentee ballot. The registrar  
 1102 receiving the ballot shall (i) seal the ballot in an envelope with the statement or declaration of the voter, or  
 1103 both, attached to the outside and (ii) mark on each envelope the date, time, and manner of delivery. No  
 1104 returned absentee ballot shall be deemed void because (a) the inner envelope containing the voted ballot is  
 1105 imperfectly sealed so long as the outside envelope containing the ballot envelope is sealed or (b) it is not  
 1106 returned sealed in the outside envelope so long as it is returned sealed in the inner envelope.

1107 B. Notwithstanding the provisions of subsection A, any absentee ballot (i) returned to the general registrar  
 1108 after the closing of the polls on election day but before noon on the third day after the election and (ii)  
 1109 postmarked on or before the date of the election shall be counted pursuant to the procedures set forth in this  
 1110 chapter if the voter is found entitled to vote. For purposes of this subsection, a postmark shall include any

1111 other official indicia of confirmation of mailing by the United States Postal Service or other postal or delivery  
1112 service.

1113 C. Notwithstanding the provisions of subsection A, any absentee ballot (i) received after the close of the  
1114 polls on any election day, (ii) received before 5:00 p.m. on the second business day before the State Board  
1115 meets to ascertain the results of the election pursuant to this title, (iii) requested on or before but not sent by  
1116 the deadline for making absentee ballots available under § 24.2-612, and (iv) cast by a covered voter, as  
1117 defined in § 24.2-452, shall be counted pursuant to the procedures set forth in this chapter if the voter is  
1118 found entitled to vote. The electoral board shall prepare an amended certified abstract, which shall include the  
1119 results of such ballots, and shall deliver such abstract to the State Board by the business day prior to its  
1120 meeting pursuant to this title, and shall deliver a copy of such abstract to the general registrar to be available  
1121 for inspection when his office is open for business.

1122 D. Notwithstanding the provisions of ~~clause (i)~~ of subsection ~~B~~ A of § 24.2-427 *requiring the prompt*  
1123 *cancellation of the registration of a deceased voter*, an absentee ballot returned by a voter in compliance with  
1124 § 24.2-707 and this section who dies prior to the counting of absentee ballots on election day shall be counted  
1125 pursuant to the procedures set forth in this chapter if the voter is found to have been entitled to vote at the  
1126 time that he returned the ballot.

1127 **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**  
1128 **Virginia are repealed.**

1129 **3. That the provisions of this act shall become effective on July 1, 2027, except that the provisions of**  
1130 **§ 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**  
1131 **Virginia, as amended by this act, shall become effective in due course.**

ENROLLED

HB972ER