

Legislative Update

AS OF 3/17/2023

Discussion of the most recent General Assembly session: Short Session

Regular Session: In accordance with the Virginia Constitution, the General Assembly convenes in annual regular session on the second Wednesday of January.

Short session occurs in odd numbered years in which the legislature is required to meet for 30 days, which has traditionally been extended to 45 calendar days. This year the session began January 8 and ended on February 25.

“Crossover” deadline for each chamber to complete work on legislation originating in that chamber (except for the budget bills). This year February 7.

The Action Date of the Governor on most of these bills is March 27. If they are vetoed at that time the only possibility is an override during the April 12 General Assembly session.

Effective date of enacted legislation unless otherwise specified, is July 1, 2023.

This allowed us a very short period to work on legislation related to elections.

HB 1683 Voter Registration: Final Day of registration , notice requirements.

Patron: Ransone

Effective Date:

Voter registration; final day of registration; notice requirements. Requires notice of the last day of voter registration to be published at least once in a newspaper of general circulation in the county or city, if one is available. Such notice is also required to be posted on the official website of the county or city.

HB 1948: Absentee voting; removes witness requirement, required information on the Return Ballot envelope

Patron: Bloxom

Effective Date:

Elections; absentee voting; witness requirement; required information on return ballot envelope; unique identifier. Removes the witness requirement for absentee ballots and replaces it with the requirement that the voter provide the last four digits of his social security number and his year of birth. The bill provides that the unique identifier assigned to the voter in the voter registration system will also be accepted in place of the last four digits of the voter's social security number for such purposes.

HB 2266: Absentee Ballot: SB to adopt policy regarding counting etc. in central absentee voter precinct.

Patron: Ransone

Effective Date: 9/2023

State Board of Elections; adopt policy regarding counting and reporting of absentee ballots in a central absentee voter precinct. Directs the State Board of Elections to adopt a policy regarding the counting and reporting of absentee ballots in a central absentee voter precinct in order to ensure that (i) the results of absentee ballots cast early in person are reported separately from mailed absentee ballots and are posted promptly on the State Board website and (ii) the results of all absentee ballots cast by voters are reported by precinct in accordance with law and are posted on the State Board website no later than noon on the seventh calendar day following the election. The bill requires such policy to be adopted no later than September 1, 2023, and the Chairmen of the House and Senate Committees on Privileges and Elections to be notified of such policy within seven days of its adoption.

HB 2289: Elected and certain appointed; procedure for removal by courts.

Patron: Williams

Effective Date:

Procedure for removal of elected and certain appointed officers by courts. Sets out the procedure by which, and clarifies the reasons for which, an elected officer or officer who has been appointed to fill an elective office may be removed from office. The bill requires, among other things, that the general registrar review the petition for removal of an officer and determine its sufficiency in accordance with the uniform standards approved by the State Board of Elections and that the attorney for the Commonwealth review such petition to determine if valid grounds exist to remove the officer. If the attorney for the Commonwealth is the elected official who is subject to the removal petition, the bill specifies that the Chief Justice of the Supreme Court of Virginia is tasked with appointing an alternate attorney for the Commonwealth to receive such petition. As introduced, this bill was a recommendation of the Boyd-Graves Conference. This bill is identical to [SB 1431](#).

HB 2324 Recount Elections; Standards, elections for offices to which more than one candidate can be elected.

Patron: Cordoza

Effective Date:

Recount elections; recount standards; elections for offices to which more than one candidate can be elected. Directs the State Board of Elections to promulgate standards and instructions for the conduct of recounts in elections for any office to which more than one candidate can be elected. Such standards and instructions shall include which candidates apparently nominated or elected are required to be named in the petition for a recount or served a copy of the petition for a recount.

HB 2443: Certificates of Election; Persons elected by write-in votes, exception for certain localities.

Patron: Bloxom

Effective Date:

Certificates of election; persons elected by write-in votes; exception for certain localities. Provides that in an election for a local office in a locality with a population of no more than 4,000 persons, if the person having the highest number of votes for the office is elected by write-in votes and is not qualified to hold such office or declines to assume such office, the person having the next highest number of votes shall be deemed to have been elected to such office and shall receive the certificate of election.

HB 2471 SB 1514: General Registrars; petition for removal

Patron: Batten/Mason

Effective Date:

General registrars; petition for removal. Provides for the removal of a general registrar by the circuit court upon a petition signed by a majority of the members of the State Board of Elections or a majority of the members of the local electoral board. Currently, a local electoral board may remove a general registrar with a majority vote, while the State Board of Elections may petition the circuit court to remove a general registrar only after petitioning the local electoral board to remove the registrar and the electoral board fails to do so. The bill requires the Virginia Division of Risk Management to assign counsel to the defense of any member of a local electoral board or general registrar subject to a petition for removal, upon that member's or registrar's application. This bill is identical to [SB 1514](#).

Short Explanation of how VEBA evaluates and decides to respond to legislation.

VEBA has a legislative Committee made up of volunteers from the Electoral Board Community.

Everyone is invited to participate in the work of the Legislative committee. The volunteer group begins meeting by ZOOM in early November – As soon as legislation begins to be developed on and circulated by the General Assembly members.

Members of the group are ask to assume responsibility for researching and leading discussion of topics such as the Absentee Balloting, Early Voting, etc.

Each piece of legislation is discussed during the zoom meetings and a consensus is reached as to position of VEBA.

During the legislative session, members of this committee are ask to represent VEBA in committee hearings and in direct conversations with the GA members.

REMEMBER : this representation is of the position agreed upon during the Committee meetings. IT is not a time for individual opinions to be expressed.

Closing

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