
VIRGINIA STATE BUDGET

2020 Special Session I

Budget Bill - HB5005 (Introduced)

Bill Order » Office of Administration » Item 86

Department of Elections

Item 86	First Year - FY2021	Second Year - FY2022
Electoral Services (72300)	\$18,858,038 \$20,858,038	\$16,823,166
Electoral Administration, Uniformity, Legality, and Quality Assurance Services (72302)	\$1,621,062 \$3,621,062	\$1,621,062
Statewide Voter Registration System and Associated Information Technology Services (72304)	\$13,422,132	\$11,386,990
Campaign Finance Disclosure Administration Services (72309)	\$178,568	\$178,568
Voter Services and Communications (72311)	\$1,060,726	\$1,060,726
Administrative Services (72312)	\$2,575,550	\$2,575,820
Fund Sources:		
General	\$15,805,788 \$17,805,788	\$13,770,916
Special	\$52,250	\$52,250
Trust and Agency	\$3,000,000	\$3,000,000

Authority: Title 24.2, Chapter 1, Code of Virginia.

A. It is the intention of the General Assembly that all local precincts, other than central absentee precincts established under § [24.2-712](#), Code of Virginia, will use electronic pollbooks for elections held beginning in November, 2010.

B. Any locality using paper pollbooks for elections held beginning in November, 2010, shall be responsible for entering voting credit as provided in § [24.2-668](#). Additionally, any locality using paper pollbooks for elections held after November, 2010 may be required to reimburse the Department of Elections for state costs associated with providing paper pollbooks.

C. Municipalities will pay all expenses associated with May elections after June 30, 2009, including those costs incurred by the Department of Elections.

D. The State Board of Elections shall by regulation provide for an administrative fee up to \$25 for each non-electronic report filed with the State Board under § [24.2-947.5](#). The regulation shall provide for waiver of the fee based upon indigence.

E. All unpaid charges and civil penalties assessed under Title 24.2 shall be subject to interest, the administrative collection fee and late penalties authorized in the Virginia Debt Collection Act, Chapter 48 of Title 2.2, § [2.2-4800](#) et seq.

F. Out of this appropriation, \$212,687 the first year and \$212,687 the second year from the general fund is provided for voter outreach and education required to inform voters about the photo identification requirements pursuant to Chapter 725 of the Acts of Assembly of 2013. It is the intent of the General Assembly that registration cards containing the voter's photograph and signature be provided free to any eligible voter upon request to the general registrar.

G. Out of this appropriation, \$212,423 the first year and \$212,423 the second year from the general fund is provided for conducting list maintenance mailings as required by the National Voter Registration Act.

H. Out of this appropriation, \$6,800 each year from the general fund is provided to increase the membership of the State Board of Elections from three members to five members, consistent with the provisions of § 24.2-102, Code of Virginia.

I. It is the intent of the General Assembly that federal awards from the Help America Vote Act of 2002 (HAVA) under P.L. 116-93 be used to replace the Virginia Election and Registration Information System (VERIS) by July 1, 2022. Out of the amounts included in this item, \$2,035,142 the first year from the general fund shall serve as the state's required match to receive the federal HAVA award.

J. Out of the amounts included in this item, \$96,644 the first year and \$96,644 the second year from the general fund and one position shall support a permanent, full-time director of operations position subject to the Virginia Personnel Act (§ 2.2-2900 et seq.) within the Department.

K.1. For the general election and special elections to be held November 3, 2020, upon receipt of an absentee ballot returned by mail before Election Day, each general registrar shall examine the ballot envelopes to verify completion of the required voter affirmation.

2. If the general registrar finds during the examination of a returned absentee ballot envelope that the required voter affirmation was not correctly or completely filled out or that a procedure required by § 24.2-707 was not properly followed, and such error or failure shall render the ballot void by law, the general registrar shall, within three days of such finding, notify the voter of the error or failure. Such notice shall be made by phone, email, or in writing, and shall provide information to the voter on how to correct the issue so his ballot may be counted. The voter shall be entitled to make such necessary corrections before noon on the third day after the election, and his ballot shall then be counted pursuant to the procedures set forth in § 24.2-709.1 if he is found to be entitled to vote.

3. The general registrar may issue a new absentee ballot to the voter if necessary and shall preserve the first ballot with other spoiled ballots.

L.1. Notwithstanding any other provision of law, for the general election and special elections to be held on November 3, 2020, mailed absentee ballots shall be returned (i) by mail to the office of the general registrar; (ii) by the voter in person to the general registrar; or (iii) to a drop-off location.

2. Mailed absentee ballots shall include instructions which include information on the locations of all drop-off locations in the locality.

3. The governing body of each county or city shall establish at the office of the general registrar and each voter satellite office in operation for an election a drop-off location for the purpose of allowing voters to deposit completed absentee ballots for such election. On the day of the election, there shall also be a drop-off location at each polling place in operation for the election. The governing body may, in consultation with the general registrar, establish additional drop-off locations within the county or city as it deems necessary. All drop-off locations shall be accessible, on public property, and otherwise comply with any criteria for drop-off locations set by the Department.

4. The State Board shall promulgate regulations for the establishment and operation of drop-off locations, including necessary security requirements.

5. Not later than 55 days prior to any election, the general registrar of a county or city utilizing drop-off locations shall post notice of the locations of the drop-off locations in the locality in the office of the general registrar and on the official website for the county or city. Such notice shall remain in the office of the general registrar and on

the official website for the county or city for the duration of the period during which absentee ballots may be returned.

6. Absentee ballots shall be collected from drop-off locations in accordance with the instructions provided by the Department. Such instructions shall include chain of custody requirements and recordkeeping requirements. Absentee ballots shall be collected at least daily, by two officers of election representing the two major political parties, unless the drop-off location is in the office of the general registrar, in which case the general registrar or an assistant general registrar may collect the absentee ballots.

7. Any ballot returned to a drop-off location in any manner except as prescribed by law shall be void. Absentee ballots shall be returned to a drop-off location before the closing of the polls.

M.1. The general registrar shall include with the absentee ballot prescribed in § [24.2-706](#), an envelope, properly addressed and postage prepaid, for the return of the ballot to the general registrar by mail for the general election and special elections held on November 3, 2020.

2. Included in this appropriation is up to \$2,000,000 the first year from the general fund to reimburse localities for the cost of prepaid postage required in subparagraph M.1. of this Item. This amount shall remain unallotted until the Department of Elections provides documentation of qualifying amounts to be reimbursed to localities for prepaid postage of return absentee ballots and shall not be used or otherwise obligated for any other purposes.