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DEPARTMENT *of* ELECTIONS

2024 Changes to Virginia’s Election Laws

The following legislation was passed during the 2024 Session of the General Assembly, signed by the Governor, and will go into effect on July 1, 2024 (unless otherwise noted). This legislation is likely to affect the operations of general registrars, electoral board members, constituents, candidates, the Department of Elections (ELECT), and all who are part of the elections community.

The summaries were prepared by the Policy Division of ELECT. These are only summaries that provide highlights of the legislation and are not intended to be a full accounting of the changes from every bill. Complete information on these bills is available on the [Legislative Information System](http://lis.virginia.gov) (<http://lis.virginia.gov>).

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Absentee Voting

[HB 1330 Absentee voting; persons confined awaiting trial or for conviction of a misdemeanor.](#)

Effective date: July 1, 2024

This bill recodifies that individuals confined while awaiting trial or after a misdemeanor conviction can vote by absentee ballot. This bill also requires the confining institution to facilitate the absentee by mail process for eligible confined individuals. Previously, when an excused reason was required to vote absentee, confinement while awaiting trial or for a misdemeanor conviction was an authorized reason. When no-excuse absentee voting was adopted, the language regarding excused reasons to vote absentee was no longer required. This bill does not change any statutory provisions regarding eligibility to vote in terms of those confined, but instead recodifies existing rights by adding this specific language back in Title 24.2 for clarity. Currently in Virginia, only felons are prohibited from voting; those in pretrial



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detention or incarcerated are eligible to register and vote if they have not been convicted of a felony. This bill adds § 24.2-700.1 and amends §§ 24.2-701 and 24.2-1005.2 of the Code of Virginia.

Budget Bills

[HB 6001](#) and [HB 6002 Budget Bill](#).

Effective date: July 1, 2024 and May 13, 2024, respectively.

The Commonwealth of Virginia operates under a two-year (biennial) budget cycle. Each year the Governor prepares the proposed budget bill for introduction by the General Assembly. The bill is initially adopted in even-number years and amended in odd-numbered years. HB 6001 is the adopted budget effective July 1, for the 2025 and 2026 fiscal years. HB 6002 amends the current existing budget and became effective upon the Governor's signature. These bills make a significant impact on laws throughout the Commonwealth and allocate funds for the administration of various processes. While this summary will not address all of the changes in the respective budget bills, there are three important election specific changes to mention:

1. HB 6001 provides \$190,000 to administer the provisions of HB 588 *et al.* as referenced further below under "Constitutional Amendments" to provide a statewide voter referendum regarding a proposed constitutional amendment.
2. HB 6001 also provides language that prohibits the use of a risk-limiting audit of a presidential election or an election for the nomination of candidates for the office of President.
3. HB 6002 reallocates American Rescue Plan Act funds for localities to (i) implement electronic poll books for the localities with only paper poll books, and (ii) upgrade, maintain, and implement ballot-on-demand systems.

Campaigns and Campaign Finance

[HB 730](#) and [SB 692 Campaign finance; independent expenditure reports, electronic filing required](#).

Effective date: July 1, 2025

These bills require all independent expenditure reports to be filed electronically with the State Board of Elections. Previously independent expenditure reports could be filed electronically or in writing. These bills amend § 24.2-945.2 of the Code of Virginia.

[HB 1346](#) and [SB 577 Campaign finance; exemption for candidates for certain office or directors](#).

Effective date: July 1, 2024

These bills create an exemption for candidates for director of a soil and water conservation district from the requirement to designate a separate campaign depository on their Statement of Organization (SOO).



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In order to qualify for the exemption, these bills require the candidate to certify that they have not and will not contribute any money to their own campaign nor expend any money in the course of the campaign. These bills also provide that a candidate for local office or for director of a soil and water conservation district applying for a general exemption is exempt from having to make special reports for certain large pre-election contributions. These bills amend §§ 24.2-948.1 and 24.2-948.2 of the Code of Virginia.

Candidates

[HB 90 and SB 109 Candidates; declaration of candidacy for primary.](#)

Effective date: July 1, 2024

These bills amend the declaration of candidacy to include a statement that if the signer's name appears on the primary ballot then their name is not to be printed on the ballots for that office in the succeeding general election. This is also commonly known as Virginia's "sore loser law". Previously, primary election candidates could withdraw before Election Day and file to run as an independent on the ballot for that office in the succeeding general election. These bills amend § 24.2-520 of the Code of Virginia.

[SB 165 Candidates for office; petition of qualified voters, start date.](#)

Effective date: July 1, 2024

This bill clarifies that valid petition signatures from qualified voters can be collected beginning January 1 of each year for persons seeking to become candidates in certain elections that year. Previously, valid petition signatures could only be collected beginning January 2 of each year in which the election is being held for that office. In the case of a special election, this bill codifies that valid petition signatures from qualified voters can be collected on and after the day on which the writ of election is issued. This bill amends §§ 24.2-506 and 24.2-521 of the Code of Virginia.

Certification of Elections

[HB 998 Conduct of elections; electoral board to meet and ascertain results.](#)

Effective date: July 1, 2024

This bill extends the deadline for local electoral boards to meet after a general election for the purpose of certifying the election results and submitting the abstract of results to the State Board of Elections from 7 days after the date of the general election to 10 days after such date. This bill also impacts the posting of absentee ballot results by precinct on ELECT's website which will be extended from noon on the 7th day following the election to noon on 10th day. This bill does not amend the timeline required to certify party nominees following a primary, pursuant to § 24.2-532 of the Code of Virginia. This bill amends §§ 24.2-653.01, 24.2-671, and 24.2-678 of the Code of Virginia.



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Constitutional Amendments

[HB 558, HJ 45, and SB 4 Constitutional amendment; property tax exemption for certain surviving spouses \(voter referendum\).](#)

Effective date: July 1, 2024

These bills provide for a referendum during the November 2024 general election. This referendum will ask voters whether to amend Article X, Section 6-A of the *Constitution of Virginia* to broaden the property tax exemption for surviving spouses of soldiers killed in action to instead be available to surviving spouses of soldiers who died in the line of duty. The July 1, 2024, effective date is only for the enactment of these bills in order to provide the referendum. If a majority of those voting in the November 2024 election vote in favor of the amendment, the official amendments will become effective January 1, 2025.

Electoral College

[HB 111 President and Vice President; binding of electors, filling vacancies.](#)

Effective date: July 1, 2024

This bill creates a new chapter in Title 24.2 to recodify and consolidate existing statutory provisions related to electors in presidential elections and adds additional provisions, including regarding elector qualifications. This bill requires electors to be a citizen of the United States and a legal resident of the Commonwealth of Virginia. This bill also clarifies that a “refusal to act” that leads to a vacancy of an elector is when an elector refuses to present a ballot, presents an unmarked ballot, or presents a ballot marked in violation of the elector's oath. Additionally, electors for third-party and independent candidates can also be substituted prior to noon on the 74th day before the election due to withdrawal. Previously, electors for third-party and independent candidates could only be substituted during this timeframe due to death or disqualification. The electoral college meeting is also moved under this bill to noon on the first Tuesday after the second Wednesday in December following their election consistent with the 2022 amendments to the federal Electoral Count Act. Previously the electoral college meeting occurred on the first Monday. This bill adds Chapter 2.1 in Title 24.2 and repeals §§ 24.2-202 through 24.2-205 and Article 6 (§§ 24.2-542, 24.2-542.1, and 24.2-543) of Chapter 5 of Title 24.2 of the Code of Virginia.

Minority Language Requirements

[HB 989 Elections administration; duties of Dept. of Elections, required election and voter participation.](#)

Effective date: July 1, 2024

This bill requires ELECT to provide specific information for voters on its website, requires that such information is translated, and that all translated portions of the website are reviewed for accuracy prior



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to the start of early voting for every primary and general election. The following information must be available and translated into any language that is spoken by a language minority group pursuant to § 24.2-128: (i) the role of and contact information for the State Board of Elections, ELECT, local electoral boards, and general registrars and (ii) information about absentee voting, polling hours, Virginia's voter identification requirements and acceptable forms of identification, the casting of ballots, and a means for voters to find their polling place. The bill also requires ELECT's website to allow a voter to review any information about themselves that is kept in the statewide voter registration database, which is currently done through citizen portal. This bill amends § 24.2-105.1 of the Code of Virginia.

Polling Places

[HB 441 and SB 605 Polling place; assistance for certain voters, clarifies definition of "person with a disability."](#)

Effective date: July 1, 2024

These bills expand the definition of a "person with a disability" for purposes of curbside voting to include voters with any permanent or temporary disability. Previously, only voters with a physical permanent or temporary disability or who is aged 65 or older could use curbside voting. These bills bring the definition of a "person with a disability" in § 24.2-101 in alignment with the Americans with Disabilities Act (ADA) and the Virginians with Disabilities Act (VDA) which require individuals with disabilities, whether physical or mental, to have equal access to government services and programs. These bills also require officers of election to be trained on assisting voters who use curbside voting. These bills amend §§ 24.2-101 and 24.2-649.1 of the Code of Virginia.

[HB 940 Elections administration; change to location of polling place, additional notice requirement.](#)

Effective date: July 1, 2024

This bill requires notice of a change in the location of a polling place to be posted at the location last used for such polling place on the day of the first primary election and first general election conducted in the new location, to the extent practicable. This notice is required to include information for voters to find the correct polling place. This bill amends § 24.2-306 of the Code of Virginia.

[HB 1003 Precincts and polling places; notice of changes mailed at least 30 days prior to election.](#)

Effective date: July 1, 2024

This bill requires notice of any adopted change in an election district, precinct, or polling place to be mailed to all registered voters impacted by the change at least 30 days prior to the next election. Previously, such notice was required to be mailed at least 15 days prior to the next election. This bill amends § 24.2-306 of the Code of Virginia.



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Primary Elections

[HB 55 and SB 131 Primary elections; candidates for nomination, withdrawal of candidacy.](#)

Effective date: January 1, 2025

These bills provide for the cancellation of a primary election when a candidate's withdrawal results in only one remaining candidate for that election. If a candidate submits a notarized withdrawal notice to the general registrar between 44 days and 7 days before the primary election, the remaining candidate will be declared the party's nominee for the office sought and the primary election will be cancelled. The general registrar must provide the notarized withdrawal notice to the local Electoral Board and the State Board of Elections along with a certification that the remaining candidate is now unopposed for nomination. Within one day the State Board of Elections must declare the remaining candidate the nominee of the office sought. These bills then require the local Electoral Board to petition the circuit court for the cancellation of the primary election. These bills amend § 24.2-612.2 and add § 24.2-538.1 of the Code of Virginia.

Vacancies in Elected Local Offices

[HB 69 Vacancies in elected local offices; interim appointments, notice requirement.](#)

Effective date: July 1, 2024

This bill requires a local governing body or elected school board to hold a public meeting prior to making an interim appointment to fill a vacancy among its members (or for a popularly elected mayor). At least 7 days prior to making an interim appointment, the governing body will have to announce the names of all persons being proposed for the interim appointment during the public meeting. The bill also requires each person's resume and any other materials required by the body or board to be available for public inspection. This bill amends § 24.2-228 of the Code of Virginia.

Virginia Freedom of Information Act

[HB 894 and SB 734 Virginia Freedom of Information Act; electronic meetings.](#)

Effective date: July 1, 2024

These bills amend the number of all-virtual public meetings that public bodies may convene to no more than 50% of the meetings held per calendar year rounded up to the next whole number. Previously, all-virtual public meetings were limited to no more than 25% of the meetings held per calendar year. This bill also provides that with respect to all-virtual public meetings, when audio-visual technology is available, a member of a public body shall, for purposes of a quorum, be considered absent from any portion of the meeting during which visual communication with the member is voluntarily disconnected or otherwise fails or during which audio communication involuntarily fails. Public bodies are also required to review their electronic meeting policy annually. These bills amend § 2.2-3708.3 of the Code of Virginia.



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Voter Registration

[HB 943 Voter registration; protected voter status, elections officials.](#)

Effective date: July 1, 2024

This bill adds to the list of protected voters any person serving as a member of a local electoral board, a general registrar, a deputy registrar or employee in an office of a general registrar, or an officer of election. Protected voters are permitted by law to provide on their voter registration application, in addition to their residence street address, a post office box address located within the Commonwealth to be included on (i) lists of registered voters and persons who voted, (ii) voter registration records made available for public inspection, and (iii) lists of absentee voter applicants. This bill amends §§ 24.2-106, 24.2-110, 24.2-112, 24.2-115, and 24.2-418 of the Code of Virginia.

[SB 364 Elections; protection of election officials, penalty.](#)

Effective date: July 1, 2024

This bill is similar to HB 943 as it expands the class of individuals eligible to register as a protected voter. However, this bill adds to the list of protected voters any current or former election officials referenced in HB 943 and includes any current or former elector for President and Vice President of the United States, State Board of Elections member, or ELECT Commissioner and staff. This bill also makes it a Class 5 felony to willfully and intentionally hinder or prevent an election official from administering elections. Previously, it was only a Class 5 felony to hinder or prevent an officer of election at a location being used for voting from holding an election. This bill amends §§ 24.2-418 and 24.2-1000 of the Code of Virginia.