



★ VIRGINIA ★
DEPARTMENT *of* ELECTIONS

GUIDELINES FOR CONDUCTING VOTER REGISTRATION DRIVES

Introduction and Notice of Training Requirement

These guidelines outline requirements imposed by the Code of Virginia and contain instructions and best practices as prescribed by the Department of Elections (ELECT) on how to effectively and lawfully conduct a voter registration drive. Helping voters register to vote, like driving or filing taxes, is a serious undertaking. Training and reviewing these guidelines before launching your registration drive will ensure compliance with the law and success in your efforts.

Please note that state law requires any group or individual that requests 25 or more voter registration applications from ELECT or from a local general registrar's office to complete training approved by the State Board of Elections (SBE). Groups that print and distribute their own voter registration applications when conducting drives are also strongly encouraged to complete the training to protect both applicants and the individuals working on the drive.

After completion of training, voter registration application forms can be requested by submitting a request online: [Third Party Voter Registration Drive Sworn Affidavit and Application Request](#) or obtained in person at the local voter registration office. Training classes are offered online at the [Department of Elections website](#) or at the local voter registration office.

Please read these instructions carefully as failure to follow the requirements laid out by state law may result in criminal penalties. Do not hesitate to contact the Department of Elections (ELECT) or a local voter registration office if you are uncertain on the laws and proper procedures. ELECT thanks you for your efforts to increase voter registration and participation in the Commonwealth of Virginia.

TABLE OF CONTENTS

Introduction and Notice of Training Requirement	1
Registration and Training Requirements for Drives	3
Rules of the Road: Best Practices Overview	4
The Do's: Basic Instructions and Guidelines	6
The Don'ts: Prohibitions and Penalties	9
Frequently Asked Questions	12
Third Party Voter Registration Drive Sworn Affidavit	20
Recommended Checklist for Voter Registration Drives	21

Registration and Training Requirements for Drives

Groups and individuals that obtain 25 or more voter registration applications from the Department of Elections or from a local voter registration office are required by Virginia law to receive training. Groups printing their own registration applications and engaging in registration drives are also strongly encouraged to receive this training and submit an Affidavit. This can be done online at the Virginia Department of Elections' website. Training may be received at the local registrar's office as well.

At least one agent of the organization obtaining applications must complete the training. That agent must also certify that the organization will require training for all persons collecting completed voter registration applications from applicants on behalf of the organization. However, if any other individual requests more than 25 applications (even if they claim to represent a group which has already received the training), the individual is still required to complete the training prior to receiving the requested applications.

Upon completion of the Voter Registration Drive training (in-person or online), the group or individual will need to submit a [Third Party Voter Registration Drive Sworn Affidavit and Application Request](#). This Affidavit is available online at the Department of Elections website on the [Registration Drive Training](#) page. Upon submission of the completed Affidavit, your name (and organization, if any) will appear on the List of Certified Individuals and Organizations maintained on ELECT's Registration Drive Training webpage. This will serve as proof that the training was completed. The certification is valid until June 30 each year, at which time the training must be completed again to renew certification.

Questions or Concerns? Please contact ELECT at 1-800-552-9745 or by email at Info@elections.virginia.gov. The registration and training module can be accessed at <https://www.elections.virginia.gov/registration/registration-drives/>. You may also contact your local voter registration office regarding training requirements.

Rules of the Road: Best Practices Overview

- Make sure the organization you represent is registered with the Department of Elections and has taken the state-approved training.
- When approaching individuals, introduce yourself and the organization that you represent. Explain your purpose, the qualifications to vote in Virginia and whether you or the applicant will deliver the completed application to the registrar's office.
- Inform applicants of the availability to register to vote and make updates online using vote.virginia.gov. Inform them that this process requires a Virginia driver's license or DMV-issued ID card. This method ensures that the application is delivered in real time directly to their local voter registration office.
- Target only non-registered individuals who are qualified to vote or registered individuals who have outdated registration information such as those who moved and did not update their registration address.
- Don't complete or accept applications for anyone who you know is not eligible to vote such as a non-Virginia resident.
- Don't attempt to re-register individuals who are registered and have current information. Registrants are able to check to their registration information and status online at www.elections.virginia.gov.
- Leave the registration application with the individual if he/she is uncertain as to their registration status or his/her qualification to register to vote.

Qualifications to Vote in Virginia:

- ✓ Citizen of the United States.
- ✓ Resident of Virginia (residency requires both domicile and a place of abode, i.e., an intention to remain indefinitely and a physical place to live.) Voters must provide a current residence address when completing the application. Note: special rules apply to military and overseas voters.
- ✓ Must be at least 18 years old on or before the date of the next general election. 17-year-olds may pre-register and vote in special elections and primaries if they will be 18 by the next November General Election.
- ✓ If convicted of a felony, be convicted of an offense that is not a felony recognized at common law in 1870.
- ✓ If convicted of a felony recognized at common law in 1870, must have their right to vote restored. The list of applicable common law felonies can be found on ELECT's website here: <https://www.elections.virginia.gov/registration/felony-convictions-and-voter-eligibility/>.

- Instruct the individual that the application **must** be completed **neatly**, **accurately**, and **completely**.
 - ✓ Failure to provide all of the required information will result in the denial of an applicant's registration.
 - ✓ Applicants are required to list the state where they were previously registered (if applicable).
 - ✓ An applicant who is already registered in Virginia may update his record by completing and signing the application with the changed information. A registrant may also update his or her address online using the ELECT website elections.virginia.gov/citizen-portal/ if the registrant has a Virginia driver's license or DMV ID card.
 - ✓ Intentionally making a materially false statement on the registration application may result in felony prosecution or other penalties.
- Do not complete the registration application on the applicant's behalf, unless specifically directed to do so by the applicant.
- Respect the wishes of those who decline to register. It is unlawful to use threats or force, interfere with or attempt to interfere with a person applying or declining to register to vote. Va. Code § 24.2-1002.
- Those registering should be reminded that they are required to provide their identification at the polls. Please encourage individuals to contact their local registration office or visit www.elections.virginia.gov for more information on Virginia's voter identification requirements.
- If you offer to deliver the application, you **must** complete and provide a receipt to the applicant upon his/her completion of the application. Va. Code § 24.2-418.1.
- You **must** deliver completed applications to the local voter registration office or to ELECT within 10 days of signature date or by 5:00pm on the day of the next election's registration deadline, whichever date comes first. Va. Code § 24.2-1002.01.
- To ensure the timely and accurate processing of registration applications, you should provide the appropriate local voter registration office with an alphabetical list detailing the name of every application delivered.
- You may be subject to criminal penalties if you fail to give the applicant a receipt to document your timely delivery of completed applications.

The Do's: Basic Instructions and Guidelines

- ✓ Complete the official training and ensure all volunteers and staff have been trained.
- ✓ If you are the organizer, manager or supervisor of your organization's voter registration drive, ensure that your volunteers and staff are trained and knowledgeable of these guidelines and of Virginia law pertaining to voter registration drives. It is essential that all participants are aware of the legal consequences for failure to comply with Virginia and Federal law.
- ✓ When conducting drives, your volunteers and staff should keep the "Best Practices and Overview for Volunteers" document with them for quick reference.
- ✓ It is important that you familiarize yourself with the application and be certain that each required field on the application is complete and neatly printed.
- ✓ Official training materials and these guidelines should answer any questions regarding the registration application. Direct any questions to ELECT or a local voter registration office.
- ✓ Only seek to register eligible Virginia residents who are not currently registered or those whose registration information is not up to date. Do not re-register individuals who are already registered to vote and whose information is current. Do not offer applications to individuals who indicate they are not residents of Virginia.
- ✓ Voter registration drives must complete and provide applicants a receipt if offering to deliver the completed application.
 - ✓ If you offer to deliver the application, Virginia state law requires that voter registration drives provide the applicants a receipt upon his/her completion of the voter registration application. Va. Code § 24.2-418.1.
 - ✓ Attached to the registration application is a receipt that provides the applicant with the following information:
 - Name and contact information of the group or individual receiving the application, as well as the date the application was completed.
 - Contact information for ELECT appears on the reverse of the receipt. Applicants should contact their local voter registration office or ELECT if they have not been notified of their registration status within 30 days. You may wish to refer individuals to the contact information for local registration offices located on the Department of Elections' website.
- ✓ **You may be subject to criminal penalties if you fail to give the applicant a receipt to document your timely delivery of completed applications.** Va. Code §§ 24.2-418.1, 24.2-1002.01, 24.2-1017 and 24.2-1018.

Completed applications must be delivered to the appropriate local voter registration office or to ELECT within 10 days of the signature date or by 5:00pm the day of the next election's registration deadline, whichever is sooner:

- ✓ Please note: It is more important that the applications be delivered *even if they are late*. Discarding voter registration applications is punishable as a misdemeanor under § 24.2-1002.01.
- ✓ Best practices dictate delivery of the completed applications to the appropriate local voter registration office. Virginia state law requires that individuals receiving completed applications timely deliver the application to the local voter registration office, ELECT, or designated voter registration agency. Va. Code § 24.2-1002.01.
- ✓ The mailing or delivery of an application is timely if it is mailed or delivered within 10 days of the applicant's signature on the application or by 5:00pm on the voter registration deadline for the next election, **whichever comes first**.
- ✓ Please be mindful of upcoming voter registration deadlines when circulating applications. See registration deadlines for upcoming elections on ELECT's website.

*****Failure to deliver completed applications is punishable as a Class 1 misdemeanor and can result in the failure of individuals to be timely registered and, consequently, disenfranchised. *****

- ✓ **Please sort and deliver the registration applications to the voter registration office of the locality designated on the registration application.** For example, one should not deliver a voter registration application for a Virginia Beach resident to the City of Richmond. Doing so delays the processing of the voter registration application and results in unnecessary costs to the registrar. If your drive is engaged in delivering voluminous numbers of registration applications on behalf of individuals residing in multiple localities, please contact ELECT to discuss the possible delivery of applications directly to ELECT.
- ✓ **Please also be considerate of not delivering voluminous numbers of voter registration applications to the registrar offices immediately prior to the registration deadline.** Doing so makes it very difficult for local election officials to timely process the applications prior to the election. Instead, you should submit applications to the appropriate voter registration office as you receive them. Waiting until the applicable deadlines risks delaying the processing of applications and may result in insufficient time to resolve any problems with registration applications.
- ✓ ELECT requests that voter registration drives provide the appropriate local voter registration office with an alphabetical list detailing the name of every application delivered to the registrar. Such a list protects you and your applicants.
- ✓ **Be Aware of and Communicate Voter Identification Requirements to Applicants:** For a current list of acceptable IDs, visit the Department of Elections website.

- ✓ **Instruct volunteers that all voter registration applications must be completed neatly, accurately and in their entirety:**
 - Incomplete applications may be denied by the local voter registration office. It is important that applicants closely follow the instructions on the application to ensure all required fields are completed.
 - Please instruct applicants to print as neatly as possible. Illegible handwriting on applications is a common reason for rejection of applications and keying errors when inputting the individual's data into the statewide registration database.
 - The information provided must be accurate. There are criminal penalties for intentionally making a materially false statement on the application. Examples of materially false statements could include falsely affirming United States citizenship, legal age, not disclosing a prior felony conviction, residence address, or registration status in another state.

It is imperative that volunteers and registration drive participants understand the legal qualifications to vote in the Commonwealth and that they convey that information to applicants when completing the voter registration application.

The Don't's: Prohibitions and Penalties

1. Drives must not intentionally solicit multiple applications from any one person or seek to re-register a voter whose registration information is current:

- ✓ Virginia law explicitly prohibits an individual from soliciting multiple registrations from any one person or intentionally falsifying a registration application. Violations are punishable as a Class 5 felony. Va. Code § 24.2-1002.01.
- ✓ Some practical solutions to avoid re-registering current voters include:
 - If a voter believes that he/she may already be registered to vote and that his/her information may be current, leave the registration application with the voter for the individual to mail in or inform the voter about online voter registration. Be sure to remind the applicant of upcoming registration deadlines.
 - Ask the voter to review their voter registration card if available to verify that the information is up to date.
 - Contact ELECT during normal business hours at 1-800-552-9745 or their local voter registration office. Staff can immediately confirm the voter's registration information.
 - Obtain lists of registered voters from ELECT to cross-check potential registrants. Please see FAQ below.

*****Intentionally submitting duplicate registrations may be a felony and delays the processing of new registration applications*****

- ✓ A registration application can be used to notify of a change to the voter's record, including a change of address or a change of name. Please accept applications from registered voters wishing to update their registration records.

2. It is a Class 1 misdemeanor to communicate false information to a registered voter, including false information regarding the voter's registration status: Va. Code § 24.2-1005.1. Accordingly, it is unlawful to inform a voter that he/she needs to re-register after the individual affirms that his/her registration information is up to date. Please review the registration laws and requirements and do not convey false information to voters. If you do not know, please refer potential registrants to ELECT or any local general registrar for information.

3. Do not complete or accept applications for anyone that you know is not eligible to vote:

- ✓ Please read the FAQ section to become familiarized with the qualifications to vote in Virginia.
- ✓ Do not provide advice that an individual may legally be registered to vote in multiple states.
- ✓ Under no circumstances should you knowingly accept an application from someone using a fictitious name or alias.
- ✓ **Any willfully false material statement or entry made by any person in a voter registration application constitutes election fraud and is punishable as a Class 5 felony.** Va. Code § 24.2-1016.
- ✓ **Persuading a voter to provide false information on his/her voter registration application may also constitute the felony crime of solicitation.** Va. Code §§ 18.2-29 and 24.2-1004.

4. Do not destroy, make changes to, or alter in any way a completed voter registration application:

- ✓ Virginia state law expressly prohibits an individual from intentionally destroying a completed registration application. Va. Code § 24.2-1002.01 (Class 1 misdemeanor).
- ✓ Virginia also expressly prohibits an individual from intentionally falsifying a registration application. Va. Code § 24.2-1016 (Class 5 felony).
- ✓ Completed applications cannot be changed without signed permission from the applicant. See 1 VAC 20-40-70(F).
- ✓ **Changing an application to accomplish fraud is a Class 5 felony.** Va. Code § 24.2-1009.

5. Do not pre-populate the registration blanks with information:

- ✓ Virginia law expressly prohibits third parties from pre-populating the application with information the applicant is required to provide, unless directed by the applicant. § 24.2-418.
- ✓ If the applicant is unable to sign the application, check the box indicating such on the application below the signature line.
- ✓ It is important to print neatly and legibly if you do offer assistance.

6. Voter registration is a public accommodation like a restaurant or bus. You cannot discriminate:

- ✓ It is a violation of federal law to refuse to provide a registration application to an individual because of his/her race, religion, or other suspect classification.
- ✓ Conducting a partisan registration drive that discriminates based on political party affiliation could endanger your organization's tax-exempt status. Please review the applicable Internal Revenue Service (IRS) guidelines and/or consult with legal counsel regarding registration drives and tax-exempt status.
- ✓ Once you accept a completed registration application, you must deliver that application in a timely manner to the appropriate voter registration office.

7. Do not misuse personal information contained on the registration application:

- ✓ **Warning: Unauthorized disclosure of all or part of an applicant's social security number is a felony. Unauthorized use of any personal information to defraud also is a crime.** Va. Code §§ 18.2-186.3, 24.2-1002.1.
- ✓ Virginia law contains specific prohibitions regarding the use of personal information without permission of the person who is the subject of the identifying information. Please review Va. Code § 18.2-186.3 to ensure that any proposed retention of registration information is in compliance with Virginia law.
- ✓ State law allows the release of lists of registered voters to certain organizations for political purposes and/or to promote voter registration. We encourage you to contact the Department of Elections if you or your organization would like to purchase a list of registered voters. Please see FAQ section below for more information.

8. Must not bribe, threaten, coerce, intimidate, etc. voters into registering to vote:

- ✓ State law expressly prohibits the use of threats or force to interfere with or attempt to interfere with any person applying for or declining to register to vote. Va. Code § 24.2-1002.
- ✓ Federal law prohibits an individual from using intimidation, threats, or coercion in urging or aiding a person in registering to vote. 52 USC 20511.
- ✓ Federal law prohibits an individual from offering enticements or incentives for completing a voter registration application. 52 USC 10307(c).
- ✓ Federal law expressly prohibits charging anyone for a voter registration

application or charging for assistance in filling out the application. 52 USC 10307(c).

- ✓ Conspiracies to interfere with free exercise of voting rights are subject to felony prosecution under state law. Va. Code § 24.2-1015.

9. Do not write or attach anything to the voter registration application related to candidates, ballot, or referendum measures.

[More on Next Page]

Frequently Asked Questions

Voter Registration Questions:

Q. Where do I obtain voter registration applications for my drive?

- ✓ The Department of Elections will make available to any individual or group a reasonable number of voter registration application forms. Va. Code § 24.2-416.3. Any group or individual seeking 25 or more registration applications is required to register with the Department of Elections and take online or in-person training.
- ✓ **Blank** applications may be photocopied. However, an original signature is required on completed applications. The original signature may be applied electronically.
- ✓ A PDF of the voter registration application can be downloaded at www.elections.virginia.gov.
- ✓ ELECT offers the ability for individuals to complete and submit their voter registration application on-line.
 - To qualify for on-line submission of the application, the individual must have a DMV-issued identification.
 - Individuals who do not have a DMV ID will be required to print, sign and mail the online application to the appropriate local voter registration office or to ELECT.

Q. Who May Register to Vote in Virginia?

Below, please find the qualifications to register to vote in Virginia:

- ✓ **Citizen of U.S.:** Must be a citizen of the United States.
- ✓ **Resident of Virginia:** Must be a resident of Virginia. A person who has come to Virginia temporarily and intends to return to his/her state of residence is not considered a Virginia resident for voting purposes. Persons who legally reside in another state (for example, students who intend to return to their home state upon graduation) should register in their home state using the voter registration application for their home state, or the national application, not the Virginia application. Active duty uniformed services personnel and overseas citizens may retain Virginia residency under specific federal and state laws.

*****Residency in Virginia is a prerequisite to be eligible to register to vote. Residency requires both domicile and a place of abode. To establish domicile, a person must live in a particular locality with the intention to remain indefinitely. A place of abode is the physical place where a person dwells.*****

- ✓ **18 Years of Age by Next General Election**: Must be at least 18 years old on or before the date of the next general election. (Seventeen-year-olds who will be 18 by the next general election may register in advance and vote in any primary election in the intervening period prior to the general election.
- ✓ **No Specific Mental Incapacity Adjudication for Voting**: Unless voting rights have been restored, the applicant must not have been specifically judged by a court to lack the capacity to understand the act of voting.
 - A court order is required to restore voting rights for applicants who have been judged to lack the capacity to understand the act of voting following hearing for mental incapacity. Va. Code § 64.2-2000.
- ✓ **No Common Law Felony Conviction**: Unless voting rights have been restored, must not have been convicted of an offense recognized at common law in 1870.
 - The Governor can restore voting rights for common law felony convictions.
 - The list of applicable common law felonies can be found on the Department of Election's website here: <https://www.elections.virginia.gov/registration/felony-convictions-and-voter-eligibility/>.
 - Individuals convicted of a non-common law felony do not require restoration of rights by the Governor. However, in some cases the general registrar may request additional information regarding any applicant's conviction to determine eligibility.
- ✓ Virginia law makes special provisions for some military and overseas voters. Please have individuals with questions contact the Department of Elections or their local registration office.
- ✓ For more information, please review Va. Constitution Article II, §§ 1-2; Va. Code §§ 24.2-101, 24.2-400, 24.2-417 and 24.2-418; and 1 VAC 20-40-10 through 20-40-60.

Q. How does someone with a felony conviction know if their rights have been restored?

- ✓ Those convicted of a common law felony in Virginia must apply to the Governor to have their voting rights restored. Some states automatically restore voting rights to felons. Individuals convicted of a felony in a state other than Virginia should contact the appropriate authorities in that state to determine whether or not their rights have been restored. If a person has been convicted of a felony and would like to know eligibility requirements for restoration of civil rights, he/she should contact the Secretary of the Commonwealth Restoration of Rights Division, P.O. Box 2454, Richmond, Virginia 23218. Phone: 804-692-0104. Email: www.restore.virginia.gov.

Completing a Voter Registration Application:

Q. What information is required to be completed on the application?

- ✓ **All** required information on the application **must** be provided. The phone number and email address are not required. However, please let the voter know that failure to include contact information may result in the inability of election staff to verify unreadable handwriting and may result in denial. If any information requested on the application does not apply to the voter, he/she should write or check “none” or place a dash in the appropriate space. Va. Code § 24.2-418.
- ✓ It is required that an applicant provide the state where he/she is currently registered to vote. Completing this information allows the registrar to communicate with election officials in that other state that the voter has registered in Virginia and that their registration should be cancelled.
- ✓ The registrant must sign and date the application.
- ✓ If an applicant with physical disabilities is unable to sign, the volunteer must check the appropriate box. Please see Signature Line on the registration application.
- ✓ Failure to complete the form properly may result in a denial of the application.
- ✓ It is important that the applicant and/or individual providing assistance print neatly and legibly when completing the voter registration application.

Q. Are applicants permitted to include a future address as their mailing or residence address?

- ✓ A voter must provide his/her **current** residence address and mailing address when registering to vote. § 24.2-418.

Q. Are applicants permitted to use a P.O. Box for their mailing address? If so, are they still required to list their street address?

- ✓ Some individuals may be qualified to include a P.O. Box in addition to their residence address on the registration application. These individuals must still provide his or her residence address. Individuals qualified to use a post office box as their mailing address either (1) have a residence address that is not deliverable by the USPS; OR (2) meet the legal definition of a protected voter in the Code of Virginia. The list of protected voters set out in the Code is as follows:
 - Active or retired law enforcement officers, judges, magistrates, U.S. or Virginia Attorney General attorneys.
 - Persons under a court-issued protective order.
 - Persons who are threatened or stalked (must have submitted written complaint).
 - Participants registered with the Attorney General’s Address Confidentiality Program.

- Judges and attorneys employed by the U.S. or Virginia Attorney General (active or retired).
 - Approved Foster Care parents
 - Current or former state or local election officials, their employees, or Commonwealth electors for President or Vice President
- ✓ These eligible voters **must** still provide a complete residence address. This is necessary to determine their ballot choices and the location of their polling place. Va. Code § 24.2-418. They must also provide a post office box in Virginia, preferably in their local city or county.
 - ✓ If the registrant has any questions about mailing addresses or address protection, they should contact their local voter registration office or the Department of Elections.

Q. What about homeless people? How do they complete the registration application?

- ✓ A homeless person can register to vote if he/she intends to remain in a locality indefinitely and provides some residence address indicating the primary place where he/she stays at night. This is necessary to determine their voting district and the location of the applicant's polling place.
- ✓ A mailing address is required to ensure that the voter will receive his/her registration notification and to avoid cancellation of voting eligibility due to returned mail. Some homeless shelters allow people to have their voter registration notification mailed to the shelter address. By providing this service, the homeless person is able to pick up his/her card from the shelter address. Call the local voter registration office if you have questions about registering the homeless.

Q. Am I permitted to assist a voter in completing his/her application?

- ✓ Changes to the law explicitly prohibit individuals from pre-populating the registration application for the individual. This does not prohibit you from assisting an individual with completing the application. All applications must be signed by the applicant. If the applicant is unable to sign due to a physical disability, the check box indicating such must be checked. Signing the form under felony penalty makes the person signing the application legally responsible for the truthfulness of all statements on the form.
- ✓ A signature under a power-of-attorney is not permitted. Va. Code § 24.2-123.

Responsibility for Delivering and Timeliness of Delivery:

Q. Who is responsible for delivering the completed voter registration applications and where should they be delivered?

- ✓ If you offer to deliver or mail the completed registration applications to the local voter registration office or ELECT, then you must follow through on that offer or risk criminal penalties. Va. Code § 24.2-1002.01.
- ✓ Voter registration applications can be delivered to any local voter registration office or to the Department of Elections, 1100 Bank St, 1st Floor, Richmond, VA 23219.
- ✓ For timely processing of registration applications, ELECT encourages you to sort and deliver the completed applications to the voter registration office of the locality indicated on the registration application. Applications are considered “on time” once they arrive at ELECT or at any Virginia registrar’s office, or if they are mailed with a postmark on or before the final day of registration.
- ✓ Contact information for all voter registration offices can be found on the Department of Elections website:
- ✓ vote.elections.virginia.gov/VoterInformation/PublicContactLookup

Q. Is there a deadline for delivering completed voter registration applications?

- ✓ **Yes.** The coordinator of the voter registration drive has the responsibility for making sure all completed applications are mailed or delivered to ANY local voter registration office or the Department of Elections within 10 days of signature date or not later than 5:00 pm on the registration deadline, **whichever is earlier.** (11 days before any General Election Day). **The failure to timely deliver completed applications constitutes a Class 1 misdemeanor and can result in the failure of individuals to be timely registered and, consequently, disenfranchised.** ELECT and local voter registration offices will refer these violations to the appropriate Commonwealth’s Attorney and/or Office of the Attorney General for investigation and prosecution. Va. Code § 24.2-1002.01.
- ✓ If mailed, registration applications must be postmarked no later than the voter registration deadline.
- ✓ If delivered in person, either by the applicant or a third party, the application must be received by 5:00 pm on the deadline.
- ✓ Applications postmarked or received after the deadline will be held and processed after the election; these applications will be effective for the next election if the applicant is otherwise qualified.
- ✓ It is important to realize that failure to deliver applications even after the deadline for submission will result in disenfranchisement and potentially more serious consequences to the individual responsible for non-delivery.

Q. When is the voter registration deadline?

- ✓ For a general or primary election and certain special elections, the deadline is the close of business on the 11th day before the election. Va. Code § 24.2-416.
- ✓ Limited exceptions may apply for certain military and returning overseas voters. Va. Code §§ 24.2-419 and 24.2-420.1.
- ✓ For a special election called by the Governor, Speaker of the House or Delegates, or President pro tempore of the Senate, deadlines are seven days prior to the election. Va. Code § 24.2-416.
- ✓ ELECT encourages you to contact the agency or a local voter registration office if you have any questions or uncertainty regarding your obligations to return completed voter registration applications by the registration deadline for a particular election.

Q. What if applicants wish to keep their voter registration applications and turn them in themselves?

- ✓ If the applicant requests, you must allow him/her to take the voter registration application and return it him/herself.
- ✓ ELECT encourages this practice. It relieves the registration drives of the responsibility to timely deliver applications and provide a receipt, it allows individuals to verify their registration status before submitting another application, and it ensures that local voter registration offices are not inundated with large numbers of registration applications immediately prior to the registration deadline.
- ✓ The applicant can deliver the voter registration application through the postal system or in person to any voter registration office.
- ✓ It would be helpful for you to provide envelopes with postage stamps to individuals who wish to mail in their registration application.
- ✓ Allowing an individual to submit his/her own registration application is particularly appropriate when the voter suspects that he/she is already registered and/or the registration information is up to date.

Training:

Q. Is training available for my registration drive workers?

- ✓ Yes. State-approved training is required for individuals or organizations that obtain 25 or more voter registration applications from state or local elections officials. Training is available in several formats:
 - Online training is available and easily accessible at the Department of Elections website (www.elections.virginia.gov).
 - Instructor-led training is available for large groups of 25 or more participants.
 - Each local voter registration office offers in-person training. Please contact

your local voter registration office for more information.

Other Questions:

Q. How will individuals know if their registration was accepted?

- ✓ The local voter registration office will determine registration eligibility. A voter registration notification will be mailed to eligible registrants. Va. Code §§ 24.2-417 and 24.2-418.
- ✓ A denial letter will be mailed to any applicant determined not to be eligible.
- ✓ Any applicant who does not receive either confirmation of voter registration or a denial notice within 30 days should contact their local registration office.
- ✓ Any application received after the registration deadline will not be processed until after the election. No voter registration confirmation or denial letters will be issued during this period. Va. Code § 24.2-416.

Q. What about the national voter registration application?

- ✓ The national application is available at www.EAC.gov and should be used for persons with legal residence outside Virginia.
- ✓ ELECT and the local voter registration offices strongly urge your registration drive to use the Virginia Voter Registration Application as it requests all information required to register to vote in Virginia. While this information is in the federal long-form instructions, the national application does not ask the applicant if he/she was convicted of a felony. That information is required to be provided in order to submit a complete registration application in Virginia.
- ✓ Active-duty military personnel should be encouraged to use the Federal Post Card Application, available at: fvap.gov/.

Q. May I obtain a list of Virginia registered voters?

- ✓ The Code of Virginia permits ELECT to furnish, at a reasonable price, lists of registered voters to certain groups and individuals, including non-profit organizations that promote voter participation and registration.
- ✓ Please review Va. Code § 24.2-405 and contact ELECT staff if you would like to request a list of registered voters.

Q. What if I have a question not addressed by these guidelines?

- ✓ For questions concerning deadlines, completion of the application and voting on Election Day, call your local voter registration office or the Department of Elections at

(804) 864-8901, (800)-552-9745 or 1-800-260-3466 (TTY).

Criminal Penalty for Non delivery or Late Application

§ 24.2-1002.01. Destruction of, or failure to mail or deliver, voter registration application; penalty.

If any person (i) agrees to mail or deliver a signed voter registration application to the voter registrar or other appropriate person authorized to receive the application and (ii) intentionally interferes with the applicant's effort to register either by destroying the application or by failing to mail or deliver the application in a timely manner, he shall be guilty of a Class 1 misdemeanor. The mailing or delivery of an application shall be deemed timely for the purposes of this section if it is mailed or delivered within 10 days of the applicant's signature or in accordance with the provisions of § 24.2-416.4 for processing before the closing of the registration records for the pending election whichever comes first. This section shall not apply to any state or local government employee acting in his official capacity. If any person intentionally solicits multiple registrations from any one person or intentionally falsifies a registration application, he shall be guilty of a Class 5 felony.

Other Code of Virginia statutes that could affect voter registration drive activities include:

§§ 18.2-29, 18.2-186.3

§§ 24.2-101, 24.2-400, 24.2-416.3, 24.2-416.4, 24.2-416.6, 24.2-417, 24.2-418, 24.2-1001, 24.2-1002.1, 24.2-1004, 24.2-1005.1, 24.2-1009, 24.2-1015, 24.2-1016, 24.2-1017

Va. Constitution Article II, §§ 1-2.

Virginia's Constitution and Statutes can be accessed through the Legislative Information Services website, <http://lis.virginia.gov/> or public libraries.

THIRD PARTY VOTER REGISTRATION DRIVE SWORN AFFIDAVIT



★ VIRGINIA ★
DEPARTMENT of ELECTIONS

3rd Party Voter Registration Drive Sworn Affidavit and Application Request

Completing this form provides the legally required sworn affidavit attesting that you will abide by all Virginia laws and rules regarding the registration of voters. Please be advised that intentionally falsifying or misrepresenting material information on this form is in violation of § 24.2-1016, shall constitute the crime of election fraud, and be punishable as a Class 5 felony.

This form is required if requesting 25 or more voter registration applications.

Tell us about yourself

I am *

- an individual (not affiliated with an organization)
- an individual affiliated with an organization
- a staff member at a local Voter Registration Office
- a staff member at the Virginia Department of Elections

This affidavit is for

First name *

Last name *

Organization (if any)

Address

Street Address (no PO boxes) *

Apt or Suite (if any)

City *

State *

Zip *

Phone ?

Email Address *

Request Voter Registration Applications

I am requesting voter registration applications from the Department of Elections or a local Voter Registration Office for a voter registration drive (limit 200 applications): *

- None
- For fewer than 100 applications, I should contact my local Voter Registration Office which can be found at elections.virginia.gov/VRO
- 100 English applications
- 200 English applications
- 100 Spanish applications

Should you need immediate access to voter forms, you are also welcome to visit the Department of Election's website to download/print forms:

<https://www.elections.virginia.gov/registration/voter-forms/>

Sworn Affidavit

I have completed the [Virginia Department of Elections certified training](#) approved by the Virginia State Board of Elections. I understand this annual certification is valid until June 30th each year, at which time I must complete the training again in order to renew my certification. *

Yes

I will abide by all Virginia laws and rules regarding the registration of voters, including (Please check each to affirm): *

- I will provide a completed receipt to all applicants for whom I take applications.
- I will return all completed applications no later than ten (10) days after the applicant signs, or the close of registration for the next election, if sooner.
- I will not mark, add, change, or delete any information on the Voter Registration Application, nor will I destroy or dispose of the application in any way.
- I will not copy, duplicate, or distribute any social security number on any application.

I understand that criminal penalties may result from noncompliance, intentionally falsifying, or misrepresenting material information. *

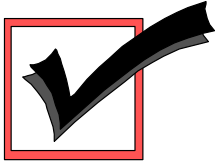
Yes

I swear or affirm under penalty of perjury that the foregoing is true and correct. *

I so swear or affirm.

Date of Affirmation * ?

Submit



Recommended Checklist for Voter Registration Drives

My organization's volunteers and/or employees and I:

- ✓ Have read and are familiar with these voter registration drive guidelines.
- ✓ Have read and are familiar with the Virginia Voter Registration Application.
- ✓ Have read the applicable Virginia Code sections and understand the criminal penalties for failure to comply with Virginia law as it relates to voter registration activities.
- ✓ Have assured that my organization's volunteers receive the state-approved training on the laws and best practices for conducting registration drives, including criminal penalties.
- ✓ Have submitted the Sworn Affidavit form online and have distributed the two-page Best Practices and Overview to all volunteers/staff (Pages 4 and 5).
- ✓ Have ensured that applicants complete the voter registration applications in their entirety.
- ✓ Have checked the appropriate box on applications in which the applicant was unable to sign due to a physical disability.
- ✓ Provided a receipt to all individuals completing voter registration applications for submission by me.
- ✓ Prepared an alphabetical listing of applications delivered to the local registrar.
- ✓ Delivered any completed voter registration applications to the appropriate registrar within 10 days of the applicant's signature or by the next registration deadline, whichever is sooner.