

## AN UPDATE ON VIRGINIA LAW

Earlier this year, the Virginia legislature amended Section 24.2-707 of the Code of Virginia with HB 1888 (chapter 471 of the Acts of Assembly) and SB 1245 (chapter 522 of the Acts of Assembly). These voting amendments were signed into law by the Governor. Recent adjustments to the Code of Virginia provide opportunities for churches to continue having a positive impact on their local community. Voters can now vote absentee. Any registered voter for any reason can request an absentee ballot. Why is this important?

Many who attend church have reasons for not voting. They may be unaware of the new opportunities. The process of finding the Virginia Absentee Ballot Application form online, printing the application, and returning to the Registrar are too cumbersome. Those who vote absentee by mail may forget to return their ballot prior to the deadline. Others do not remember the correct Tuesday in November. With Virginia being only one of several states having elections every year, apathy and burnout can reduce the number of voters. “My vote does not count” is another reason for lower voter turnout. Additionally, many in congregations are, for whatever reason, not even registered to vote. Finally, voters may be unable to leave home to vote due to health, transportation, or even weather issues.

The new Virginia voter laws as noted above provide churches with opportunities to alleviate the aforementioned reasons for not voting. Voting is now easier and the process makes it convenient for churches to assist their congregations in registering to vote. These new laws are not complicated. Church volunteers can complete the project with minimal assistance from the pastor. This process document has been pulled together to facilitate sufficient education and training for all who assist church families to vote.

The guidelines and information in the following pages of this document can be used to implement this process at churches for the 2021 General Election in November.

DISCLAIMER: THIS IS NOT LEGAL ADVICE  
INFORMATION REVIEWED BY CHRIS MARSTON

## **INTRODUCTION**

Churches in Virginia have always and must continue to positively impact society through activities in the local community. That includes choosing leaders who support Christian principles and values that are sacred, make common sense, and must be protected. America's founders and founding documents provide historical proof that the United States has her roots deeply embedded in the soil of the Gospel. Newsweek on December 26, 1982 stated, "Now historians are discovering that the Bible, perhaps even more than the Constitution, is our Founding Document." Alice Baldwin's dissertation in 1925 entitled *The New England Clergy and the American Revolution* concluded, "There is not a right asserted in the Declaration of Independence which had not been discussed by New England clergy before 1763." Baldwin read more than 5,000 sermons before completing her research.

## **BALLOT GATHERING IS LEGAL IN VIRGINIA**

The new voter bills passed by the Virginia General Assembly declare that Ballot Gathering is legal in Virginia. By amending Section 24.2-707 of the Code of Virginia with HB 1888 (chapter 471 of the Acts of Assembly) and SB 1245 (chapter 522 of the Acts of Assembly) and signed into law by the Governor, these recent changes to Virginia's election laws allow churches to make voting much easier for their congregations. Minimal effort and preparation are needed to accomplish this vital service for congregants. Obtaining permission from church leadership to conduct an Absentee Ballot Application form distribution and Absentee Ballot collection activity is the first step.

Meet with the pastor and/or church leadership to discuss implementation of the plan to serve your congregation and to help increase voter turnout within the Christian community by collecting absentee ballot request forms in September and then collecting completed absentee ballots in October 2021.

## **PREPARATION IS ESSENTIAL! KEY POINTS FOR PREPARATION**

- PRAY over all the preparations
- Know the important dates
- Begin preparations now as November 2, 2021 comes quickly
- Have a plan for distribution of Absentee Ballot Application forms and collection of vote-by-mail ballots
- Have a plan for sorting and delivery of ballots to election officials
- Keep in mind that the sooner the church begins to prepare for the coming election, the better prepared it will be to effectively serve the congregation.

## IMPORTANT DATES FOR VIRGINIA 2021 ELECTIONS

<i>Friday, September 17</i>	Absentee ballots will be mailed to anyone who has already sent an Absentee Ballot Application form to the Registrar.
<i>Friday, September 17</i>	First day for in person absentee voting. Voting will be from Monday - Friday at Registrar's office or designated location during regular business hours (generally 8 a.m. – 5 p.m.) and concludes Saturday, October 30.
<i>Sundays, September 19 &amp; 26</i>	Distribution of Absentee Ballot Applications forms before or after service, having congregants fill out and return to designated persons before leaving church.  Voter registration forms should be available if someone needs to register. Anyone collecting paper registrations must submit these forms within 10 days or prior to Tuesday October 12, the last day to register for the November 2, 2021 election. <i>Violations of laws pertaining to registrations have criminal penalties.</i>
<i>Tuesday, September 21 &amp; 28</i>	Take completed Absentee Ballot Application forms to local Registrar's office
<i>Sunday, October 3, 10, &amp; 17</i>	Collect, verify, and process absentee ballots and envelopes
<i>Tuesday, October 5, 12, &amp; 19</i>	Deliver absentee ballot envelopes to registrar
<i>Tuesday, October 12</i>	Last day to register to vote in November 2021 election
<i>Friday, October 22 by 5 pm</i>	Last day for Registrar's office to receive Absentee Ballot Application forms
<i>Saturdays, October 23 &amp; 30</i>	In-person voting will be available from 8 a.m. – 5 p.m.
<i>Sundays during early voting</i>	In certain locations, the Registrar's office is open on Sunday afternoon.
<i>Tuesday, November 2, 2021</i>	<i>Election Day.</i> All Absentee ballots must be turned into the Registrar by 7 p.m. on Election Day.

Any mailed absentee ballot postmarked by Tuesday, November 2 and received by the Registrar by November 5 will be counted.

Absentee Ballot Application forms must be returned to the Registrar in order for a voter to receive an Absentee Ballot. Churches participating in the ballot collection process should provide congregants an Absentee Ballot Application form beginning Sunday, September 19. Each church can determine the number of Sundays Absentee Ballot Application forms will be provided. The best suggestion (as noted above) would be to distribute Absentee Ballot Application forms on September 19 and 26 and then collect, verify, and process the absentee ballot envelopes on October 3, 10, and 17. Make this process easy and convenient. Remember, the last day to request an absentee ballot for the November 2021 election is Friday October 23 at 5 p.m.

## THE PROCESS

- Download, copy, and place Absentee Ballot Application forms in the bulletin or have ushers distribute the forms after services on September 19 and 26, 2021.
- Provide ink pens as needed.
- Have congregants fill out the forms and then collect them.
- Have Voter Registration forms available for those who have not registered.
- A person in the congregation should be trained so that the Voter Registration form is filled out properly.
- All forms will be delivered to the Registrar's office by Tuesday following the Sunday after the forms were completed and collected.
- The convenience of delivery of the Absentee Ballot Applications form is passed on to the voter by the church. In addition, voters will not have to search and find an Absentee Ballot Application form online, print it, and mail it.

Once the Registrar receives the Absentee Ballot Application, an Absentee Ballot will be mailed to the voter requesting the ballot. Absentee Ballots will be sent directly to the voter from the Registrar via mail within three days of receiving the absentee ballot request forms.

Here is a step-by-step process for completion of the Absentee Ballot:

1. By law (24.2-707), the voter is supposed to conduct the entire process in the presence of a witness (opening the absentee ballot from the register, marking and refolding it, enclosing it in the inner envelope, sealing it, and filling out the statement on the back.)
2. The witness then signs the statement on the back of the inner envelope.
3. The inner envelope goes in the return envelope which is addressed to the registrar. It is important that the ballot is returned in these envelopes because it is the easiest way for the voter to be recorded as having voted. The voter then places the envelope in the collection box.

The Sundays of October 3, 10, or 17 are the best three days to assist congregants in the Absentee ballot process. All absentee ballots must be verified by a third party if the governor has not declared a state of emergency during the voting process.

On Tuesday October 5, 12, and 19, the ballots will be taken to the appropriate Registrar. Depending on the church, Absentee Ballot Application forms can be given out on Sundays until October 17 but having them available only on the last two Sundays in September will make the process easier to manage.

Unlike several other states who send a ballot by mail to every voter, Virginia voters who want to vote absentee must fill out an Absentee Ballot Application form or go to the Registrar's office or a designated satellite location during the 45 day early voting process (September 17 through October 30). Absentee ballots are not automatically sent to all voters. Ballot collecting is much easier for congregants and encourages everyone to participate in local and state elections.

## **PLAN FOR BALLOT GATHERING, SORTING, DELIVERY**

### ***Build a Team***

- Determine a leader of the Ballot Gathering and solicit volunteers. Set up meetings with volunteers to collect supplies, train, plan logistics, and pray about the activities.
- Collect Supplies
- Gather tables, signs, and pens.
- Obtain Ballot collection containers. Look for secure containers that allow the vote-by-mail envelope to be dropped into the container.
- • Designate a location in church for ballot gathering. Absentee ballots must be delivered to the Registrar in the county where the voter is registered so the location of the church in proximity to county lines is important. If congregants reside in one particular county, all of the ballots collected would be delivered to that county Registrar. If the church is located close to more than one county line, the people in the congregation may be residents of those other counties. A larger church may want to have as many containers as necessary, one for each county/city. This will make the sorting of the ballots easier.

### ***Gathering Day Set Up for Absentee Ballots***

- Set up a table so voters can line up.
- Place the collection box behind the table. The voter will place the ballot in the collection container.
- Have ink pens at the table for voters to use, if necessary.
- Do not leave the ballot gathering container unattended and keep eyes on the ballots at all times.

### ***Gathering Steps***

- Do not gather the ballots during church service when everyone is seated. Ballots are taken to a specific location. This process should be the pattern followed with every absentee ballot.
- First, by law (24.2-707), the voter is supposed to conduct the entire process in the presence of a witness (opening the ballot from the register, marking and refolding it, enclosing it in the inner envelope, sealing it, and filling out the statement on the back.
- Second, the witness then signs the statement on the back of the inner envelope.
- Finally, the inner envelope goes in the return envelope addressed to the registrar. It is important that the ballot is returned in these envelopes because it is the easiest way for the voter to be recorded as having voted. The voter then places the envelope in the collection box. Receive ballots individually from each voter to insure a thorough inspection of each envelope.

## **PLAN FOR BALLOT DELIVERY TO REGISTRAR**

Church volunteers personally hand deliver the ballots to the Registrar's office on the Tuesday following the collecting of ballots. For example, if ballots are collected on Sunday, October 3, they need to be delivered to the Registrar by Tuesday, October 5.

Official locations where absentee ballots may be returned if congregants want to do so personally:

- The County Registrar's office during regular business hours - Monday through Friday, 8 a.m. to 5 p.m. This is the location and time for optimal delivery.
- By mail via the U.S. Postal Service. Mail ballots must be postmarked on or before Election Day and received by the Registrar of Voters within three business days following the election.
- Their polling place on Election Day, November 2, 2021 from 6 a.m. to 7 p.m.

## **IMPORTANT INFORMATION TO KNOW**

No one is allowed to receive any compensation based on the number of ballots collected. State regulations prohibit an individual, group, or organization from providing compensation on this basis. "Compensation" means any form of monetary payment, goods, services, benefits, promises or offers of employment, or any other form of consideration offered to another person in exchange for returning another voter's ballot.

## **GET YOUR CHURCH INVOLVED**

If you are an individual interested in having your church participate in this Ballot Gathering activity, a letter template for the purpose of submitting a request to your church leadership about taking part in this Ballot opportunity to get more individuals involved in the voting process is provided.

May the Lord bless your efforts!

*When the righteous are in authority, the people rejoice;  
but when a wicked man rules, the people groan.*

**PROVERBS 29:2**