

Virginia

Voter Registration & Voter List Maintenance Guide

Provided by

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Disclaimer: This is a guide to Arizona's laws relating to voter registration and voter list maintenance.

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Who can I contact with election related questions?

CHIEF STATE ELECTION OFFICER:
SECRETARY OF THE COMMONWEALTH

Physical Address:

Department of Elections
1100 Bank Street, First Floor
Richmond, VA 23219

Mailing Address:

Department of Elections
1100 Bank Street, First Floor
Richmond, VA 23219

Phone Number:

804-864-8901

Email Address:

info@elections.virginia.gov

Website:

<https://www.elections.virginia.gov/>

How do I register to vote?

[Link to register to vote](#)

[Article II, Section 1. Qualifications of voters](#)

In elections by the people, the qualifications of voters shall be as follows: Each voter shall be a citizen of the United States, shall be eighteen years of age, shall fulfill the residence requirements set forth in this section, and shall be registered to vote pursuant to this article. No person who has been convicted of a felony shall be qualified to vote unless his civil rights have been restored by the Governor or other appropriate authority. As prescribed by law, no person adjudicated to be mentally incompetent shall be qualified to vote until his competency has been reestablished.

Any person who will be qualified with respect to age to vote at the next general election shall be permitted to register in advance and also to vote in any intervening primary or special election.

How do I cancel my voter registration?

[Link to voter registration cancelation form](#)

[§ 24.2-427. Cancellation of registration by voter or for persons known to be deceased or disqualified to vote.](#)

A. Any registered voter may cancel his registration and have his name removed from the central registration records by signing an authorization for cancellation and mailing or otherwise submitting the signed authorization to the general registrar. When submitted by any means other than when notarized or in person, such cancellation must be made at least 22 days prior to an election in order to be valid in that election. The general registrar shall acknowledge receipt of the authorization and advise the voter in person or by first-class mail that his registration has been canceled within 10 days of receipt of such authorization.

How is voter list maintenance handled?

§ 24.2-424. Change of registered voter's address within the Commonwealth; pilot project.

A. Whenever a registered voter changes his place of residence within the Commonwealth, he shall promptly notify any general registrar of the address of his new residence. Such notice may be made in person, in writing, by return of the voter registration card noting the new address, or on a form approved by the State Board of Elections, which may be electronic. The notice in writing may be provided by mail or by facsimile and shall be signed by the voter unless he is physically unable to sign, in which case his own mark acknowledged by a witness shall be sufficient signature. Notice may be provided by electronic means as authorized by the State Board and signed by the voter in a manner consistent with the provisions of § 24.2-416.7 and the Uniform Electronic Transactions Act (§ 59.1-479 et seq.). The fact that a voter provides an address on a candidate or referendum petition that differs from the address for the voter on the voter registration system shall not be sufficient notice to change the voter's registration address. Any statements made by any voter applying for transfer are subject to felony penalties for making a false statement pursuant to § 24.2-1016.

B. If the voter has moved within the same county or city, on receipt of the notification, the general registrar for that county or city shall (i) enter the new address on the registration record; (ii) if satisfied that the registered voter has moved into another precinct within the same county or city, transfer the registration of the voter to that precinct; and (iii) send the voter confirmation documents. This transfer may be entered in the registration records at any time the registration records are not closed pursuant to § 24.2-416.

C. Any request for transfer or change of address within the Commonwealth delivered to any registrar shall be forwarded to the general registrar for the city or county in the Commonwealth where the voter now resides. When forwarding said notice, or upon request from the registrar for the county or city where the voter now resides, the registrar for the county or city where the voter formerly resided shall forward the original application for registration to the registrar for the voter's new locality.

D. Upon receipt of the voter's original registration application, and notice as specified in subsection A of this section indicating the voter's current residence, the registrar for the county or city in which the voter currently resides shall:

§ 24.2-424. CONTINUED

(i) enter the new address on the registration record; (ii) if satisfied that the registered voter has moved into a precinct within that county or city, transfer the registration of the voter to that precinct; (iii) send the voter confirmation documents; and (iv) through the Virginia voter registration system, notify the registrar of the locality where the voter formerly resided that the registration has been transferred. This transfer may be entered in the registration records at any time the registration records are not closed pursuant to § 24.2-416.

E. If the original registration application is no longer available to the registrar in the city or county where the voter formerly resided, either of the following shall be sent to and accepted by the registrar in the city or county where the voter now resides in lieu of such application: (i) an unsigned voter card (or conversion card) used as the voter record upon the creation of the statewide voter registration system or (ii) a replacement record provided by the Department to replace damaged files in the registrar's office. If no other record is available, then the registrar of the voter's former locality shall provide written notification to the registrar of the locality in which the voter now resides that none of the required documents are available. In this instance only, the registrar of the locality in which the voter now resides shall copy the voter's record from the Virginia voter registration system and use that record in lieu of the original voter registration application. Any complete voter registration application on a form previously authorized for use in Virginia shall be valid for the purposes of continuing or transferring a voter's registration within the Commonwealth.

§ 24.2-427. Cancellation of registration by voter or for persons known to be deceased or disqualified to vote.

A. Any registered voter may cancel his registration and have his name removed from the central registration records by signing an authorization for cancellation and mailing or otherwise submitting the signed authorization to the general registrar. When submitted by any means other than when notarized or in person, such cancellation must be made at least 22 days prior to an election in order to be valid in that election. The general registrar shall acknowledge receipt of the authorization and advise the voter in person or by first-class mail that his registration has been canceled within 10 days of receipt of such authorization.

§ 24.2-427. CONTINUED

B. The general registrar shall promptly cancel the registration of (i) all persons known by him to be deceased; (ii) all persons known by him to be disqualified to vote by reason of a felony conviction or adjudication of incapacity; (iii) all persons known by him not to be United States citizens by reason of reports from the Department of Motor Vehicles pursuant to § 24.2-410.1 or from the Department of Elections based on information received from the Systematic Alien Verification for Entitlements Program (SAVE Program) pursuant to subsection E of § 24.2-404 and in accordance with the requirements of subsection C; (iv) all persons for whom a notice has been received, signed by the voter, or from the registration official of another jurisdiction that the voter has moved from the Commonwealth; and (v) all persons for whom a notice has been received, signed by the voter, or from the registration official of another jurisdiction that the voter has registered to vote outside the Commonwealth, subsequent to his registration in Virginia. The notice received in clauses (iv) and (v) shall be considered as a written request from the voter to have his registration cancelled. A voter's registration may be cancelled at any time during the year in which the general registrar discovers that the person is no longer entitled to be registered. The general registrar shall provide notice of any cancellation to the person whose registration is cancelled, by mail to the address listed in the voter's registration record and by email to the email address provided on the voter's registration application, if one was provided.

C. The general registrar shall mail notice promptly to all persons known by him not to be United States citizens by reason of a report from the Department of Motor Vehicles pursuant to § 24.2-410.1 or from the Department of Elections based on information received from the Systematic Alien Verification for Entitlements Program (SAVE Program) pursuant to subsection E of § 24.2-404 prior to cancelling their registrations. The notice shall inform the person of the report from the Department of Motor Vehicles or from the Department of Elections and allow the person to submit his sworn statement that he is a United States citizen within 14 days of the date that the notice was mailed. The general registrar shall cancel the registrations of such persons who do not respond within 14 days to the notice that they have been reported not to be United States citizens.

D. The general registrar shall (i) process the Department's most recent list of persons convicted of felonies within 21 to 14 days before any primary or general election, (ii) cancel the registration of any registered voter shown to have been convicted of a felony who has not provided evidence that his right to vote has been restored, and (iii) send prompt notice to the person of the cancellation of his registration.

§ 24.2-427. CONTINUED

If it appears that any registered voter has made a false statement on his registration application with respect to his having been convicted of a felony, the general registrar shall report the fact to the attorney for the Commonwealth for prosecution under § 24.2-1016 for a false statement made on his registration application.

E. The general registrar may cancel the registration of any person for whom a notice has been submitted to the Department of Motor Vehicles in accordance with the Driver License Compact set out in Article 18 (§ 46.2-483 et seq.) of Chapter 3 of Title 46.2 and forwarded to the general registrar, that the voter has moved from the Commonwealth; provided that the registrar shall mail notice of such cancellation to the person at both his new address, as reported to the Department of Motor Vehicles, and the address at which he had most recently been registered in Virginia. No general registrar may cancel registrations under this authority while the registration records are closed pursuant to § 24.2-416. No registrar may cancel the registration under this authority of any person entitled to register under the provisions of subsection A of § 24.2-420.1, and shall reinstate the registration of any otherwise qualified voter covered by subsection A of § 24.2-420.1 who applies to vote within four years of the date of cancellation.

§ 24.2-428. Regular periodic review of registration records; notice to voters identified as having moved; placement on inactive status for failure to respond to notice.

A. The Department of Elections shall establish a voter list maintenance program using the change of address information supplied by the United States Postal Service through its licensees or by other reliable sources to identify voters whose addresses may have changed. Any such program shall be regular and periodic and shall be conducted at least annually. The program shall be completed not later than ninety days prior to the date of a federal primary or federal general election.

B. If it appears from information provided by the Postal Service or by other reliable sources that a voter has moved to a different address in the same county or city in which the voter is currently registered, the Department shall provide to the general registrar the information necessary to change the registration records to show the new address, and the Department or the general registrar shall send to the new address of the voter by forwardable mail, a notice of the change, along with a postage prepaid, pre-addressed return card by which the voter may verify or correct the address information.

C. If it appears from information provided by the Postal Service or by other reliable sources that a voter has moved to a different address not in the same county or city, the Department or the general registrar shall send to the last known address of the voter by forwardable mail, a notice on a form prescribed by the Department, along with a postage prepaid and pre-addressed return card on which the voter may state his current address.

§ 24.2-428. CONTINUED

D. The registered voter shall complete and sign the return card subject to felony penalties for making false statements pursuant to § 24.2-1016.

E. The general registrar shall correct his registration records from the information obtained from the return card. If the information indicates that the registered voter has moved to another general registrar's jurisdiction within the Commonwealth, the general registrar shall transfer the registration record, along with the return card, to the appropriate general registrar who shall treat the request for a change of address as a request for transfer and shall send a voter registration card as confirmation of the transfer to the voter pursuant to § 24.2-424. If the general registrar does not receive the return card provided for in subsection C of this section within thirty days after it is sent to the voter, the registered voter's name shall be placed on inactive status. A registered voter's failure to receive the notice shall not affect the validity of the inactivation.

§ 24.2-428.1. Other procedures for assigning registered voters to inactive status.

In addition to the voter list maintenance program provided for in § 24.2-428, the general registrar and the registered voter shall follow the confirmation notification procedures set forth in subsections C through E of § 24.2-428 if a voter provides an address on a candidate or referendum petition that differs from the address for the voter on the voter registration system or if any of the following documents sent to the registered voter are returned by the Postal Service as undeliverable:

1. An acknowledgment of registration;
2. An acknowledgment of transfer to a new address;
3. An absentee ballot or application for an absentee ballot sent or provided in accordance with Chapter 7 (§ 24.2-700 et seq.);
4. Notification to a voter after a precinct reassignment;
5. Notification of a change of address sent to a voter in accordance with subsection B of § 24.2-428; or
6. Any official voter registration or election mail.

§ 24.2-428.2. Return of registered voter to active status.

A registered voter shall be returned to active status from inactive status if, during the period beginning on the date the voter was assigned to inactive status and ending on the day of the second general election for federal office thereafter, the voter:

1. Notifies the general registrar of a change of address within the county or city;
2. Responds to a confirmation notice with information that the voter continues to reside at the registration address;

§ 24.2-428.2. CONTINUED

3. Votes or attempts to vote in a primary or a special or general election and, if necessary, corrects the registration record; or

4. Transfers his registration to another county or city within the Commonwealth, pursuant to § 24.2-424 or subsection E of § 24.2-428.

If the registered voter fails to take such action on or before the day of the second general election for federal office after the voter was placed on inactive status, the general registrar shall cancel the person's voter registration.

The general registrar shall post at the courthouse or have published in a newspaper of general circulation in his county or city a list of names of persons whose registration has been cancelled pursuant to this section. He shall deliver or mail, obtaining a certificate of mailing, a certified copy of the list to the chairman of each political party in his county or city.

§ 24.2-429. Maintenance of accurate registration records by general registrar; notice and hearing before cancellation.

Whenever a registered voter is alleged to be improperly registered, except for reason of removal of residence from the precinct, either by the general registrar or by any three qualified voters of the county or city who make such an allegation to the general registrar, the registrar shall post at the courthouse or publish in a newspaper of general circulation in his county or city the name of the registered voter on a list of persons whose registrations are to be cancelled by the general registrar. The list shall be certified by the registrar and delivered or sent by mail to the county or city chairman of each political party. If sent by mail, the general registrar shall obtain a certificate of mailing. In addition to the posted or published list, the general registrar shall send a notice by mail to the last known address of each registered voter on the list, stating the reasons provided by law for the cancellation, the facts on which the cancellation is based, and when the registrar, at his office during regular office hours, will hear testimony produced for or against the right of persons named in the notice to be retained on the registration records. The hearings shall be held not less than ten days after the mailing of the notice, and in no event shall be within sixty days of the general election in November or within thirty days of any other election in the county or city.

At the hearing, the registrar shall hear the testimony produced and shall determine if the registered voter named in the notice is qualified to vote in the county or city. If the person is no longer qualified to vote, the registrar shall cancel the voter's registration. Nothing contained in this section shall prevent the registered voter from applying to the general registrar for a transfer to his proper jurisdiction, provided the registration records are not closed as provided by law.

§ 24.2-429. CONTINUED

The general registrar may continue the hearing for a period of not more than thirty days in order to complete his examination. If the registered voter so challenged fails to appear and defend his right to be registered, his registration shall be cancelled by the general registrar.

§ 24.2-430. Appeal from decision of registrar.

Any person whose registration was cancelled in accordance with the decision of the general registrar pursuant to § 24.2-429, shall have the right of appeal, as provided in § 24.2-422, to the circuit court of the county or city in which he offers to register. Any qualified voter of the county or city shall have the same right of appeal from the decision of the general registrar refusing to cancel the registration of any person alleged to be improperly registered.

§ 24.2-431. Petition to court objecting to registration.

In addition to challenging a voter's registration before the general registrar, any three qualified voters may file with the circuit court of the county or city in which they are registered, a petition stating their objections to the registration of any person whose name is on the registration records for their county or city. However, no petition may be filed if the only objection raised is based on removal of residence from the precinct.

§ 24.2-432. Notice to person objected to and decision of court.

Fifteen days' notice shall be given by the petitioners to any person whose registration is objected to pursuant to § 24.2-431, and the court shall summarily proceed to determine the right of the person to registration. The determination shall be without the necessity of formal pleadings and in preference to all other matters on the docket. An order of the court concerning registration of the voter shall not be limited by the provisions of § 24.2-416 requiring the registration records to be closed.

§ 24.2-434. Presumption if petition not brought within six months of registration.

Unless the petition provided for in § 24.2-431 is filed within six months after the registration of any person, it shall be conclusively presumed in all proceedings where the right of such person to registration arises, by election officers and by judicial tribunals, or in election contests of any kind and character, that such person has complied with all the procedural requirements of the law in making an application for registration.

§ 24.2-435. Cancellation records to be retained for specified periods.

The registration records of voters whose registration has been cancelled pursuant to this article shall be retained for two years from the date of cancellation by the general registrar. However, the registration records of voters whose registration has been cancelled because the voter has moved to another state or the voter has submitted changes to his registration records shall be retained for four years.

§ 24.2-404.4. Exchange of registered voter lists with other states.

A. Pursuant to its authority under subsection A of § 24.2-405 and subsections B and C of § 24.2-406, the Department of Elections shall request voter registration information and lists of persons voting at primaries and elections, if available, from the states bordering the Commonwealth to identify duplicate registrations, voters who no longer reside in the Commonwealth, and other persons who are no longer entitled to be registered in order to maintain the overall accuracy of the voter registration system.

B. Pursuant to its authority under subdivision A 10 of § 24.2-404, the Department of Elections shall utilize data regarding voter registration and lists of persons voting at primaries and elections received through list comparisons with other states to identify duplicate registrations, voters who no longer reside in the Commonwealth, and other persons who are no longer entitled to be registered in order to maintain the overall accuracy of the voter registration system.

C. The Department shall compare the data received pursuant to subsections A and B with the state voter registration list and initiate list maintenance procedures under applicable state and federal law. The Department shall include in its report to the House and Senate Committees on Privileges and Elections, required by subsection F of § 24.2-404, the progress of activities conducted under this section, including the number of duplicate registrations found to exist and the procedures that the Department and general registrars are following to eliminate duplicate registrations from the Virginia registered voter lists.

§ 24.2-409.1. Department of Elections to transmit information pertaining to persons convicted of a felony in federal court.

Upon receipt of a notice of a felony conviction sent by a United States attorney pursuant to the National Voter Registration Act (52 U.S.C. § 20501 et seq.), the Department shall notify the appropriate general registrar of the conviction.

§ 24.2-408. State Registrar of Vital Records to transmit weekly lists of decedents to Department of Elections.

The State Registrar of Vital Records shall transmit to the Department of Elections by electronic means a weekly list of all persons 17 years of age or older who have died in the Commonwealth subsequent to its previous weekly list. The lists shall be in a format specified by the Department and shall contain the deceased's name; address; county, city, or town of residence; social security number, if any; and date and place of his birth and of his death. The Department shall maintain a permanent record of the information in the lists as part of the voter registration system, and the general registrars shall use the information in the lists to carry out their duties pursuant to § 24.2-427. Information in the lists shall be confidential and consistent with the requirements of § 32.1-271.

§ 24.2-409. Central Criminal Records Exchange to transmit lists of felony convictions to Department of Elections.

The Central Criminal Records Exchange shall transmit to the Department of Elections by electronic means (i) a monthly list of all persons convicted of a felony during the preceding month and (ii) an annual list of all persons who have been convicted of a felony, regardless of when the conviction occurred. The list shall be in a format mutually agreed upon by the Commissioner of Elections and the Department of State Police and shall contain the convicted person's name; address; county, city, or town of residence; social security number, if any; date and place of birth; and date of conviction. The Department shall maintain a permanent record of the information in the lists as part of the voter registration system. Upon receipt of the monthly list, the Department shall compare, on a monthly basis, the contents of the list to the list of all registered voters maintained on the voter registration system and shall notify the appropriate general registrar of the felony conviction of any registered voter. Upon receipt of the annual list, the Department shall compare the contents of the list to the list of all registered voters maintained on the voter registration system and shall notify the appropriate general registrar of the felony conviction of any registered voter. The general registrars shall have access to the information in the lists to carry out their duties pursuant to § 24.2-427.

§ 24.2-410. Clerks of circuit courts to furnish lists of certain adjudications.

The clerk of each circuit court shall furnish monthly to the Department of Elections a complete list of all persons adjudicated incapacitated pursuant to Chapter 20 (§ 64.2-2000 et seq.) of Title 64.2 or whose incapacity has been recognized pursuant to § 64.2-2115, and therefore "mentally incompetent" for purposes of this title unless the court order specifically provides otherwise, during the preceding month or a statement that no adjudications have occurred that month.

§ 24.2-410. CONTINUED

The list shall contain each such person's name; address; county, city, or town of residence; social security number, if any; date and place of birth; and date of adjudication. The Commissioner of Elections and the Executive Secretary shall determine the procedure for furnishing such lists, which may be by electronic means. The Department shall transmit the information from the list to the appropriate general registrars.

§ 24.2-410.1. Citizenship status; Department of Motor Vehicles to furnish lists of noncitizens.

A. The Department of Motor Vehicles shall include on the application for any document, or renewal thereof, issued pursuant to the provisions of Chapter 3 (§ 46.2-300 et seq.) of Title 46.2 a statement asking the applicant if he is a United States citizen. Information on citizenship status shall not be a determinative factor for the issuance of any document pursuant to the provisions of Chapter 3 (§ 46.2-300 et seq.) of Title 46.2.

The Department of Motor Vehicles shall furnish monthly to the Department of Elections a complete list of all persons who have indicated a noncitizen status to the Department of Motor Vehicles in obtaining any document, or renewal thereof, issued pursuant to the provisions of Chapter 3 (§ 46.2-300 et seq.) of Title 46.2. The Department of Elections shall transmit the information from the list to the appropriate general registrars. Information in the lists shall be confidential and available only for official use by the Department of Elections and general registrars.

B. For the purposes of this section, the Department of Motor Vehicles is not responsible for verifying the claim of any applicant who indicates United States citizen status when applying for any document, or renewal thereof, issued pursuant to the provisions of Chapter 3 (§ 46.2-300 et seq.) of Title 46.2.

The National Voter Registration Act of 1993

Congress enacted the National Voter Registration Act of 1993 (also known as the "NVRA" and the "Motor Voter Act"), to enhance voting opportunities for every American. The Act has made it easier for all Americans to register to vote and to maintain their registration. Section 8 of the NVRA contains requirements with respect to the administration of voter registration by States and requires States to implement procedures to maintain accurate and current voter registration lists.

For more information about the NVRA, please visit the [Department of Justice website](#).

List of voter registration statuses and their definitions

Registration Status	Statute
Active - "Registered voter" means any person who is maintained on the Virginia voter registration system. All registered voters shall be maintained on the Virginia voter registration system with active status unless assigned to inactive status by a general registrar in accordance with Chapter 4 (§ 24.2-400 et seq.).	§ 24.2-101.
Inactive - If the general registrar does not receive the return card provided for in subsection C of this section within thirty days after it is sent to the voter, the registered voter's name shall be placed on inactive status.	§ 24.2-428.
Canceled - The voter's name has been removed from the central registration records (due to request, death, or disqualification to vote).	§ 24.2-427.

How do I file a HAVA complaint?

[Link to HAVA Complaint Process](#)

[Link to HAVA Complaint Form](#)

This complaint form is for complaints alleging violations of Title III of the Help America Vote Act of 2002 (HAVA). Title III deals with voting equipment, accessibility, provisional voting, voting information, the computerized statewide voter list used to create pollbooks, identification requirements for voting in federal elections if registration was by mail, and contents of registration forms. To qualify as a formal complaint under this procedure, this [Complaint Form](#) must be used and notarized prior to submission.

How do I file a non-HAVA election complaint?

[Link to non-HAVA Election Complaint Form](#)

[§ 24.2-1019. Complaints and allegations concerning election law offenses.](#)

Any complaint or allegation concerning unlawful conduct under this title shall be filed with the attorney for the Commonwealth of the county or city in which the alleged violation occurred. In the case of a complaint or allegation concerning the filing of a false statement in a voter registration application, the violation shall be deemed to have occurred in the county or city where the applicant sought to be registered.

Who can I contact regarding an election related complaint?

Deputy Commissioner, Department of Elections

Physical/Mailing Address:

Department of Elections
1100 Bank Street, 1st Floor
Richmond, VA 23219-3642

Phone Number:

804-864-8901

Email Address:

info@elections.virginia.gov

Website:

<https://www.elections.virginia.gov/contact-us/>

Office of the Attorney General, Election Integrity Unit

Physical/Mailing Address:

Election Integrity Unit
202 North Ninth Street
Richmond, VA 23219

Phone Number:

804-786-2071

Email Address:

mailoag@oag.state.va.us

Online Address:

<https://www.oag.state.va.us/>