



**VERBAL AND WRITTEN TESTIMONY SENATE PRIVILEGES AND
ELECTIONS COMMITTEE**

JANUARY 21, 2026

[SB6 - Constitutional amendment; qualifications of voters, right to vote, persons not entitled to vote.](#)

Patron: Locke

WRITTEN STATEMENT

The League of Women Voters of Virginia supports the proposed Constitutional Amendment to restore the rights, including the right to vote, to those released from incarceration due to felony convictions, and those who, regardless of guardianship status, do have the capacity to understand the act of voting. The League also urges you to approve this implementing legislation.

Democracy is most representative when everyone has a voice, and thus voting should be protected in our state Constitution. Only two or three states permanently disenfranchise individuals who have felony convictions. At present, it is estimated that many thousands of eligible people are still disenfranchised in Virginia, with a disproportionate effect on minority and lower income Virginians. People whose incarceration has ended should not be penalized for life without the vote. Everyone deserves a second chance.

With respect to any citizen subject to adjudication of capacity, it is imperative that the court make an individualized determination as to the person's capacity to understand the act of voting. Voter registrars have frequently lacked clear guidance from the court and, as a consequence, have disenfranchised citizens who should have the right to vote, because those citizens understand what it means to vote, know how to do it, and they wish to do it.

If this resolution passes, the voters of Virginia would have an opportunity to voice their support or opposition at the ballot box in November. We also approve the text of the resolution and urge the Committee to vote in favor.

ORAL STATEMENT

The League of Women Voters urges this Committee to report this implementing legislation for the proposed Constitutional Amendment that would restore voting rights to those released from incarceration due to felony convictions—and those who, regardless of guardianship status, do have the capacity to understand the act of voting. The text of the resolution is clear and we look forward to seeing this language on the ballot in November.

[SB34 - Incapacitated persons; finding of lack of capacity to understand act of voting.](#)

Patron: Favola

The League of Women Voters of Virginia has firsthand knowledge regarding the need for this legislation. One of our members was approached by a woman who sought limited guardianship for her daughter, a woman with Down's Syndrome who had voted before and had a job. Her mother did this to protect her assets from a scam artist who might play on her kind heart. At no time during this process did the judge or any attorney explain to her mother that this would deprive her daughter of her voting rights. It wasn't until the daughter went to vote in the next election that she learned she had been disenfranchised. We applaud Senator Favola for this bill and strongly urge the Committee to pass it.

[SB46 - Absentee voting in person; available beginning 15 days prior to any election.](#)

Patron: Craig

SB46 would unduly restrict early in-person voting to 15 days for General and Primary Elections. Since ballots must be ready 45 days before an election for mailing to military and overseas voters under federal law, there is no reason to make voters at home wait longer. Many of those voters work long hours, work multiple jobs, care for children or elders. Many who are themselves elderly must rely on others to get to the polls. Many voters have long commutes and cannot be sure they could get to their polling place on Election Day. Yet, they prefer to vote in person. They should not be deprived of the opportunity they currently have to vote conveniently. We oppose the bill.

[SB52 - Voter registration; regular periodic review of registration records.](#)

Patron: Rouse

The League supports the bill and thanks Chairman Rouse for bringing this important legislation. SB 52 provides for a 90-day quiet period before Virginia elections, when the state cannot conduct systematic voter purges. It parallels the federal law requiring a 90-day quiet period leading up to federal elections. It also protects voters by extending the time for our registrars to cancel the registration of voters deemed to be ineligible to vote and by allowing voters 28 days to respond to a notice of cancellation, which is double the amount of time they now have. Considering the unreliability of mail delivery, that is an important improvement to Virginia's voter registration rules.

[SB57 - Voter registration; requiring membership in the Electronic Registration Information Center \(ERIC\).](#)

Patron: VanValkenburg

We strongly support Virginia's reentry into ERIC. It is by far the most secure voter data sharing system available and protects voters' privacy. With Virginia's reentry, ERIC would serve 25 states plus the District of Columbia. In addition, Virginia is required to seek voter data sharing arrangements with our bordering states, some of which are members of ERIC. Virginia was a founding member of ERIC, which is controlled by its member states and was founded in a bipartisan manner. We hope the Governor will take this step before legislation lands on her desk, yet this bill maintains our membership regardless of who sits at that desk.

[SB58 - Elections; deadline for receipt of absentee ballots and certain other information, etc.](#)

Patron: Favola

The League supports SB 58. As we all know, the US Postal Service is not as reliable as it was in the past, particularly for deliveries in the morning hours. Adjusting the deadline for the receipt of ballots arriving by mail from noon until 5:00 PM on the third day—usually a Friday—after an election, will help ensure that voters' ballots will be counted as intended by law.

[SB76 - Elections; primary dates, presidential year primaries.](#)

Patron: VanValkenburg

NO POSITION

[SB162 - Voter registration; restoration of political rights upon release from incarceration.](#)

Patron: Locke

This bill would help to ensure that voting rights would be restored to otherwise qualified individuals upon their release from incarceration. It sets up the process for enabling citizens, when they become eligible, to register to vote. It is a welcome measure to make a constitutional amendment a reality.

SB169 - Candidates for office; challenges to candidate qualifications.

Patron: Pekarsky

NO POSITION

SB298 - Elections; absentee voting in person; available beginning on the tenth day prior to election; hours of operation.

Patron: Peake

Just as we oppose SB 46, which would limit early voting to 15 days before an election, we oppose this bill, which has an even shorter period for early voting, and urge you not to report it.

SB311 - Constitutional amendment (voter referendum); marriage between two adult persons; repeal of same-sex marriage prohibition.

Patron: Ebbin

The League of Women Voters of Virginia supports this legislation. It is time that we remove the 2006 amendment that specifically calls for marriage to be between "one man and one woman." If Virginia prides itself with "being for lovers" then it is about time we recognize that love is indeed love. With the threat of Obergefell being overturned, we must protect the right to marry for all Virginians.