



Testimony

House Privileges and Elections Committee February 2, 2024

[HB440](#)

Candidates for office; electronic filing of forms, petitions, and notifications.

The League of Women Voters of Virginia supports this bill. It provides for both electronic filing of required candidate filings and updated filing instructions for candidates and the Department of Elections. The value of candidate forms is tied to transparency and ease of filing, The Commonwealth already requires electronic filing of many documents (including, for example, Employer Withholding Tax, Sales, and Use Tax). Additionally, the updated filing rules in this bill help address concerns that the League has had when candidates face confusing rules and have not been able to successfully access the ballot for a particular race.

[HB742](#)

Elections. State Board of; appointment of Commissioner of Elections.

The League of Women Voters supports HB742. The bill transfers the power to appoint or remove the Commissioner of Elections from the Governor to a supermajority of the State Board of Elections. If the State Board continues functioning in a bipartisan manner, the Commissioner would be less

vulnerable to partisan political influence. In the event of a partisan split within the Board, however, the top staff member of the Department of Elections would fulfill the responsibilities of the Commissioner until such time as the Board can act.

[HB796](#)

Absentee voting; electronic ballot return.

Oral Statement

The League of Women Voters opposes HB 796 because of the dangerous insecurity of electronic ballot return. Electronic ballot return has strong appeal, particularly for military and overseas voters and voters with print disabilities. This is why Virginia sends out ballots electronically and provides 45 days of early voting, plus extra time to return mail ballots. There is no current internet voting system that is secure from attack. In other online transactions, tracing is essential, and it is possible to recover from hacking and attacks. With elections, though, ballot secrecy and voter anonymity must be preserved and there is no way to recover from hacking and attacks. We cannot open the door to a corrupted election or the distrust it would generate.

Written Statement

The League of Women Voters opposes HB 796 because of the dangerous insecurity of electronic ballot return. There is no current internet voting system that is secure from attack. If there is a breach, no one can undo the damage either to the outcome or public trust in elections. In other online transactions, tracing is essential, and it is possible to recover from hacking and attacks. In contrast, the secret ballot is a bedrock of American elections, preventing bribery and election fraud. Voters remain anonymous. Our security measures are strong.

We appreciate the needs of military and overseas voters, as well as voters with print disabilities. Virginia can and does provide ballots to these voters over the internet but requires ballots to be returned by mail. This is why the federal government requires 45 days of early voting for military and overseas voters and why we allow mail ballots to be returned after election day. We cannot open the door to a corrupted election or the distrust it would generate.

Electronic ballot return is appealing. Some day we hope and expect that voting on a device will be standard and trustworthy. That day has not come. We urge you to vote no on HB 796.

[HB904](#)

Voter registration; list maintenance activities, cancellation procedures, required record matches.

Oral Statement

The League of Women Voters supports HB 904, a bill that will improve Virginia's voter list maintenance activities and show the public many steps that are taken to ensure accuracy and security. This bill's provisions will go a long way toward preventing incorrect voter purges. Record matching will be more precise, helping to protect eligible citizens from disenfranchisement and prevent those who are no longer eligible from voting in Virginia. The bill codifies, in detail, security and list maintenance procedures that are already in place throughout the Commonwealth. The bill also strengthens record keeping requirements. The bill achieves better list maintenance and rebuilds confidence in elections.

Written Statement

The League of Women Voters supports HB 904, a bill that will improve Virginia's voter list maintenance activities and show the public many steps that are taken to ensure accuracy and security. This bill's provisions will go a long way toward preventing incorrect voter purges, which approximately 3,400 voters experienced last year. Qualified voters should not be disenfranchised for nonexistent felony convictions nor for technical violations after their rights have been restored. Virginia should not be subject to other states' errors either. Record matching will be more precise, helping to protect eligible citizens from disenfranchisement and prevent those who are no longer eligible from voting in Virginia. The bill also strengthens record keeping requirements so that a mistakenly disenfranchised voter can find out what happened.

The bill codifies in detail security and list maintenance procedures that are already in place throughout the Commonwealth. Every locality has a security plan in place, subject to annual reconsideration. The Department of Elections' IT team can assist any locality that needs help in reaching minimum standards. Change of address procedures are already in place but the bill spells out the standards. This bill accomplishes two things, better list maintenance so that only qualified voters can vote and rebuilding public confidence in elections.

[HB1045](#)

Public Campaigns Program and Fund; established and created tax check-off.

Oral testimony:

The League of Women Voters supports HB 1045 and the establishment of a new, voluntary Public Campaigns Program, along with a mandatory report on the Program. By providing matching funds for small-dollar contributions, and requiring participating candidates to abide by contribution limits and agree to participate in public debates, the bill gives qualified individuals who don't have deep pockets, or friends with deep pockets, more incentive to run for elected office, and increases the electorate's opportunities to evaluate candidates on their merits and not just from paid advertisements. We also support the mechanism for funding the program. Instead of using scarce taxpayer dollars, the new Public Campaigns Program would be financed through an optional check off on Virginia taxpayer income tax filings.

Written testimony:

The League of Women Voters supports HB 1045. An option for public funds to help finance campaigns, similar to the provision to designate a dollar of federal taxes owed to fund presidential campaigns, will be a meaningful step toward tightening Virginia's notoriously lax campaign finance laws.

You are aware that Virginia is one of only five U.S. states that allows unlimited contributions of campaign funds and has no restrictions on using campaign funds for personal use. A League study in 2022 demonstrated the extent to which the lack of campaign finance regulations distorts our democracy by allowing huge gifts from invisible donors, including state-regulated utilities, out-of-state donors, and potentially foreign influencers. The absence of limits to dollar amounts for contributions exacerbated the problem. The study cited a poll from the Wason Center at Christopher Newport University in late 2021 showing that 75% of residents support limits on contributions, 78% percent support reducing allowable contributions from large contributors, and 56% favor banning corporate contributions altogether. The electorate supports saner funding for campaigns, and a public funding option goes a long way toward that objective.

The Virginia Public Access Project, VPAP, has demonstrated conclusively that Virginia's last election was the most expensive on record, with legislative candidates collectively raising \$56 million, 43% more than the last election cycle where all 140 General Assembly seats were on the ballot. It further showed that only one candidate each for the Senate and the House received contributions from small donors (\$100 or less), all the rest being 50% or less of their donors, and that contributions from Virginia donors (not otherwise classified as e.g. businesses or political committees) comprised only 18% of contributions to Democratic candidates and 28% to Republican candidates, leading to the inescapable conclusion that big money and outside interests are the tail wagging the Virginia election dog.

We also support the mechanism for funding the program. Instead of using scarce taxpayer dollars, the new Public Campaigns Program would be financed through an optional check off on Virginia taxpayer income tax filings.

The League believes that a public financing option for funding electoral campaigns such as HB 1045 will reduce candidates' reliance on large private donations and donations from vested special interests, which can discourage those without deep-pocketed contacts from running for elected office and limits the expression of the voters' interests.