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SENATE BILL NO. 140

Offered January 12, 2000

A BILL to amend and reenact §§ 24.2-613 and 24.2-640 of the Code of Virginia, relating to elections, ballots, the form of ballots, and political party designations for candidates.

Patron—Martin

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:

1. That §§ 24.2-613 and 24.2-640 of the Code of Virginia are amended and reenacted as follows:

§ 24.2-613. Form of ballot.

The ballots shall be white paper without any distinguishing mark or symbol and shall contain the names of all the candidates qualifying to have their names printed on the official ballot as provided by law. Their names shall be printed in black ink, immediately below the office for which they have qualified as candidates. The names on the ballot shall be in clear print; each name shall be on a separate line; and the type used in printing the ballots shall be plain roman type, not smaller than twelve-point pica. Immediately to the left of and on the same line with the name of each candidate shall be printed a square, not less than one-quarter, nor more than one-half inch in size, printed thus:

JOHN DOE

Each candidate who has been nominated by a political party or in a primary election shall be identified by the name of his political party. Independent candidates shall be identified by the term "Independent." The name of the political party or term "Independent" may be shown by an initial or abbreviation to meet ballot requirements.

Except as provided for primary elections, the State Board shall determine by lot the order of the political parties, and the names of all candidates for a particular office shall appear together in the order determined for their parties. In an election district in which more than one person is nominated by one political party for the same office, the candidates' names shall appear alphabetically in their party groups under the name of the office, with sufficient space between party groups to indicate them as such. For the purpose of this section and § 24.2-640, except as provided for presidential elections in § 24.2-614, independent candidates shall be treated as a class under "Independent"; their names shall be placed on the ballot after the political parties; and where there is more than one independent candidate for an office, their names shall appear alphabetically.

~~No names of political parties shall appear on the ballot, except as provided in § 24.2-614 for presidential elections.~~

No individual's name shall appear on the ballot more than once for the same office.

In preparing the ballots for general, special and primary elections, the State Board and electoral boards shall cause to be printed in not less than ten-point type, immediately below the title of any office, a statement of the number of candidates who may be voted for that office. The following language shall be used: "Vote for not more than "

§ 24.2-640. Ballots generally.

In every county and city using mechanical or direct electronic voting systems requiring printed ballots, the electoral board shall furnish a sufficient number of ballots printed on plain white paper, of such form and size as will fit the ballot frames. The names of the various candidates shall be printed in type not less than fourteen point. On mechanical devices, the name of the office for which candidates are offering for election shall be printed in reverse printing or overlaid with a colored plastic strip.

~~Party nominations~~ *Each candidate who has been nominated by a political party or in a primary election shall be identified by the name of his political party. Independent candidates shall be identified by the term "Independent." The name of the political party or term "Independent" may be shown by an initial or abbreviation to meet ballot requirements. All candidates shall be arranged on each device or other ballot to be electronically counted, either in columns or horizontal rows, and the caption of the various ballots on the devices shall be placed so that the voter knows what feature is to be used or operated to vote for his choice. No push knob, key lever or other device shall be used to vote for any candidate other than on an individual basis except for presidential electors. In districts in which more than one person is nominated by a single party for the same office, the nominations for each party shall be grouped together in a separate row or column, or placed with sufficient space between party groups to indicate them as such names of the candidates shall appear alphabetically within their party groups.*

The electoral board in any locality which converted from a mechanical to an electronic voting system after January 1, 1994, may use a ballot which (i) is similar to the ballot used on the mechanical system

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60 previously used in the locality, (ii) aligns the candidates of each political party and independent
61 candidates on the same row or column, and (iii) provides a separate row or column for each political
62 party and for independent candidates.

63 The provisions of general law concerning ballots shall apply unless in conflict with this section.

64 **2. That the provisions of this act shall become effective on January 1, 2001.**