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HOUSE BILL NO. 328

Offered January 9, 2008

Prefiled January 4, 2008

A *BILL to amend and reenact §§ 15.2-3226, 15.2-3509, 15.2-3819, 24.2-101, 24.2-200, 24.2-222, 24.2-223, 24.2-226, 24.2-311, 24.2-312, 24.2-503, 24.2-507, 24.2-510, 24.2-682, 24.2-701, 24.2-947.8, 24.2-948.2, and 24.2-951.7 of the Code of Virginia, to amend the Code of Virginia by adding a section numbered 24.2-222.2, and to repeal §§ 24.2-222.1, 24.2-947.7, and 24.2-951.5 of the Code of Virginia, relating to elections and terms for mayors, councils, and elected school boards of cities and towns and related elections, filing deadlines and requirements, and providing for November elections.*

 Patron—Saxman

 Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:

1. That §§ 15.2-3226, 15.2-3509, 15.2-3819, 24.2-101, 24.2-200, 24.2-222, 24.2-223, 24.2-226, 24.2-311, 24.2-312, 24.2-503, 24.2-507, 24.2-510, 24.2-682, 24.2-701, 24.2-947.8, 24.2-948.2, and 24.2-951.7 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 24.2-222.2 as follows:

§ 15.2-3226. Redistricting and elections in city or town following annexation; registration and transfer of registration of voters in annexed territory.

A. Whenever the boundaries of a city or town, which elects its council by wards or districts, have been expanded through annexation, subject to the provisions of § 24.2-304.1, the council of the city or town shall redistrict the municipality into wards or districts, change the boundaries of existing wards or districts, or increase or diminish the number of wards or districts to incorporate the additional territory.

B. ~~Notwithstanding the provisions of § 24.2-312, there~~ *There* shall be an election for members of council on the first Tuesday in May following the effective date of annexation for terms to commence on July 1 following the election; however, upon the approval of the governing bodies affected and the special court, such election may be on the Tuesday after the first Monday in November following the effective date of annexation for terms to commence on January 1 following the election. If council members are chosen on an at-large basis the election shall be held for the unexpired portion of the term of each council member whose term extends beyond July 1 immediately following the effective date of annexation. If council members are chosen on a ward basis, the election shall be held for each ward affected by the annexation. However, no such election shall be held as a result of an annexation instituted under § 15.2-3202 or § 15.2-3203, unless the city or town increases its population by more than five percent due to the annexation.

C. The registration records of voters residing in the annexed areas shall be transferred, and the appropriate notice given, in accordance with § 24.2-114. Any person residing in the annexed territory who has not registered shall be entitled to register and vote in the city or town if he would have been entitled to register and vote at the next election of the county.

§ 15.2-3509. Election or appointment of city or town officers.

At the next regular ~~May~~ *November* election held at least sixty days after the adoption of the consolidation ordinance by the governing bodies or, if applicable, the election at which the consolidation is approved by the voters, such officers as are provided for by general or special law shall be elected for the consolidated city or town. Their terms shall begin on ~~July~~ *January* 1 next succeeding their election, at which time they shall replace all elective city or town officers of the consolidated cities or towns whose terms shall terminate on such day. The terms of the new officers shall expire on January 1 ~~for~~ *for* constitutional officers next succeeding the regular election of city constitutional officers in the Commonwealth and July 1 next succeeding the regular election of all other city and town officers *their successors*.

All appointive city and town officers shall be appointed by the person, board or authority upon whom the power to appoint such officers in other cities and towns is conferred. The terms of such officers shall commence on January 1 next succeeding the first election of officers for the consolidated city or town and shall continue, unless otherwise removed, until their successors have been appointed and qualified.

The successors of all such officers whose first election or appointment is herein provided for shall thereafter be elected or appointed at the time, in the manner and for the terms provided by general or special law.

INTRODUCED

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59 § 15.2-3819. Election and terms of office of mayor and councilmen after town becomes city.

60 At a general election of city officers, to be held on the ~~second the~~ Tuesday ~~in May~~ after the first
61 Monday in November after a town is declared to be a city, a mayor and city council shall be elected for
62 the city. The terms of office of the mayor and city council shall begin on ~~July~~ January 1 following their
63 election. The mayor shall serve for four years. One half of the council shall serve for two years, and the
64 other half for four years.

65 § 24.2-101. Definitions.

66 As used in this title, unless the context requires a different meaning:

67 "Candidate" means a person who seeks or campaigns for an office of the Commonwealth or one of
68 its governmental units in a general, primary, or special election and who is qualified to have his name
69 placed on the ballot for the office. "Candidate" shall include a person who seeks the nomination of a
70 political party or who, by reason of receiving the nomination of a political party for election to an
71 office, is referred to as its nominee. For the purposes of Chapters 8 (§ 24.2-800 et seq.), 9.3 (§ 24.2-945
72 et seq.), and 9.5 (§ 24.2-955 et seq.), "candidate" shall include any write-in candidate. However, no
73 write-in candidate who has received less than 15 percent of the votes cast for the office shall be eligible
74 to initiate an election contest pursuant to Article 2 (§ 24.2-803 et seq.) of Chapter 8. For the purposes of
75 Chapters 9.3 (§ 24.2-945 et seq.) and 9.5 (§ 24.2-955 et seq.), "candidate" shall include any person who
76 raises or spends funds in order to seek or campaign for an office of the Commonwealth, excluding
77 federal offices, or one of its governmental units in a party nomination process or general, primary, or
78 special election; and such person shall be considered a candidate until a final report is filed pursuant to
79 Article 3 (§ 24.2-947 et seq.) of Chapter 9.3.

80 "Central absentee voter precinct" means a precinct established by a county or city pursuant to
81 § 24.2-712 for the processing of absentee ballots for the county or city or any combination of precincts
82 within the county or city.

83 "Constitutional office" or "constitutional officer" means a county or city office or officer referred to
84 in Article VII, Section 4 of the Constitution of Virginia: clerk of the circuit court, attorney for the
85 Commonwealth, sheriff, commissioner of the revenue, and treasurer.

86 "Election" means a general, primary, or special election.

87 "Election district" means the territory designated by proper authority or by law which is represented
88 by an official elected by the people, including the Commonwealth, a congressional district, a General
89 Assembly district, or a district for the election of an official of a county, city, town, or other
90 governmental unit.

91 "Electoral board" or "local electoral board" means a board appointed pursuant to § 24.2-106 to
92 administer elections for a county or city. The electoral board of the county in which a town or the
93 greater part of a town is located shall administer the town's elections.

94 "General election" means an election held in the Commonwealth on the Tuesday after the first
95 Monday in November ~~or on the first Tuesday in May~~ for the purpose of filling offices regularly
96 scheduled by law to be filled at those times.

97 "Officer of election" means a person appointed by an electoral board pursuant to § 24.2-115 to serve
98 at a polling place for any election.

99 "Party" or "political party" means an organization of citizens of the Commonwealth which, at either
100 of the two preceding statewide general elections, received at least 10 percent of the total vote cast for
101 any statewide office filled in that election. The organization shall have a state central committee and an
102 office of elected state chairman which have been continually in existence for the six months preceding
103 the filing of a nominee for any office.

104 "Polling place" means the one place provided for each precinct at which the qualified voters who are
105 residents of the precinct may vote.

106 "Precinct" means the territory designated by the governing body of a county, city, or town to be
107 served by one polling place.

108 "Primary" or "primary election" means an election held for the purpose of selecting a candidate to be
109 the nominee of a political party for election to office.

110 "Qualified voter" means a person who is entitled to vote pursuant to the Constitution of Virginia and
111 who is (i) 18 years of age on or before the day of the election or qualified pursuant to § 24.2-403 or
112 subsection D of § 24.2-544, (ii) a resident of the Commonwealth and of the precinct in which he offers
113 to vote, and (iii) registered to vote. No person who has been convicted of a felony shall be a qualified
114 voter unless his civil rights have been restored by the Governor or other appropriate authority. No
115 person adjudicated incapacitated shall be a qualified voter unless his capacity has been reestablished as
116 provided by law.

117 "Qualified voter in a town" means a person who is a resident within the corporate boundaries of the
118 town in which he offers to vote, duly registered in the county of his residence, and otherwise a qualified
119 voter.

120 "Referendum" means any election held pursuant to law to submit a question to the voters for

approval or rejection.

"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.). For purposes of applying the precinct size requirements of § 24.2-307, calculating election machine requirements pursuant to Article 3 (§ 24.2-625 et seq.) of Chapter 6, mailing notices of local election district, precinct or polling place changes as required by subdivision 13 of § 24.2-114 and § 24.2-306, and determining the number of signatures required for candidate and voter petitions, "registered voter" shall include only persons maintained on the Virginia voter registration system with active status.

"Registration records" means all official records concerning the registration of qualified voters and shall include all records, lists, applications, and files, whether maintained in books, on cards, on automated data bases, or by any other legally permitted record-keeping method.

"Residence" or "resident," for all purposes of qualification to register and vote, means and requires both domicile and a place of abode. In determining domicile, consideration may be given to a person's expressed intent, conduct, and all attendant circumstances including, but not limited to, financial independence, business pursuits, employment, income sources, residence for income tax purposes, marital status, residence of parents, spouse and children, if any, leasehold, sites of personal and real property owned by the person, motor vehicle and other personal property registration, and other factors reasonably necessary to determine the qualification of a person to register or vote.

"Special election" means any election that is held pursuant to law to fill a vacancy in office or to hold a referendum.

"State Board" or "Board" means the State Board of Elections.

"Virginia voter registration system" or "voter registration system" means the automated central record-keeping system for all voters registered within the Commonwealth that is maintained as provided in Article 2 (§ 24.2-404 et seq.) of Chapter 4.

§ 24.2-200. When terms to begin.

The terms of all officers chosen at a November general election shall begin on the January 1 succeeding their election unless otherwise provided in this chapter. ~~Notwithstanding any other provision of law, the terms of all officers elected at a May general election shall begin on the July 1 succeeding their election.~~ They shall continue to discharge the duties of their respective offices until their successors qualify.

§ 24.2-222. Election and terms of mayor and council for cities and towns.

The qualified voters of each city and town shall elect a mayor, if so provided by charter, and a council for the terms provided by charter. ~~Except as provided in § 24.2-222.1, and notwithstanding any other provision of law, general or special: (i) any election of mayor or councilmen of a city or town whose charter provides for such elections at two-year or four-year intervals shall take place at the May general election of an even-numbered year and (ii) any election of mayor or councilmen of a city or town whose charter provides for such elections at one-year or three-year intervals shall take place at the general election in May of the years designated by charter. The persons so elected shall enter upon the duties of their offices on July 1 succeeding their election and remain in office until their successors have qualified.~~

Notwithstanding any other provision of law, general or special, the qualified voters of each city and town shall elect a mayor, if so provided by charter, and council members at the November general election as provided in § 24.2-222.2.

§ 24.2-222.2. Election of mayor and council at November general election in cities and towns.

A. The mayor, if an elected mayor is provided for by charter, and council of any city or town shall be elected at the November general election date for terms to commence January 1. The election shall be held at the November general election of an even-numbered year unless the charter for the city or town provides, or an ordinance adopted by the council shall provide, for a different election cycle.

B. Except as provided in subsection C, no term of a mayor or member of council shall be shortened in implementing the change to the November election date. Mayors and members of council who were elected at a May general election and whose terms are to expire as of June 30 shall continue in office until their successors have been elected at the November general election and have been qualified to serve.

C. In any city or town that elects its council biennially or quadrennially and that changes to the November general election date in odd-numbered years from the May general election date in even-numbered years, mayors and members of council who were elected at a May general election shall have their term of office shortened by six m[HKB1] onths but shall continue in office until their successors have been elected at the November general election and have been qualified to serve.

D. Except to the extent provided in subsections B and C, no ordinance shall have the effect of modifying the terms of office for the mayor, if any, and council members provided in the charter for the

182 *city or town.*

183 § 24.2-223. Election and term of school board members.

184 In any county, city or town wherein members of the school board are elected, pursuant to Article 7
185 (§ 22.1-57.1 et seq.) of Chapter 5 of Title 22.1, elections shall be held to coincide with the election of
186 members of the governing body at the regular general election in November ~~or the regular general~~
187 ~~election in May, as the case may be.~~ Elected school board members shall serve terms which are the
188 same as those of the governing body, to commence on January 1 following their election ~~or July 1~~
189 ~~following their election, as the case may be.~~

190 § 24.2-226. Election to fill vacancy.

191 A. A vacancy in any elected local office, whether occurring when for any reason an officer-elect
192 does not take office or occurring after an officer begins his term, shall be filled by special election
193 except as provided for certain towns by § 24.2-228 or for constitutional officers as provided in
194 § 24.2-228.1, or unless provided otherwise by statute or charter. The governing body or, in the case of
195 an elected school board, the school board of the county, city, or town in which the vacancy occurs shall,
196 within 15 days of the occurrence of the vacancy, petition the circuit court to issue a writ of election to
197 fill the vacancy as set forth in Article 5 (§ 24.2-681 et seq.) of Chapter 6. Either upon receipt of the
198 petition or on its own motion, the court shall issue the writ ordering the election for the next ensuing
199 general election to be held in November ~~in the case of county, city, or town officers regularly elected in~~
200 ~~November, or in May in the case of other city and town officers.~~ If the vacancy occurs within 120 days
201 prior to that election, however, the writ shall order the election to be held at the second ensuing such
202 general election. Upon receipt of written notification by an officer or officer-elect of his resignation as
203 of a stated date, the governing body or school board, as the case may be, may immediately petition the
204 circuit court to issue a writ of election, and the court may immediately issue the writ to call the election.
205 The officer's or officer-elect's resignation shall not be revocable after the date stated by him for his
206 resignation or after the thirtieth day before the date set for the special election. The person so elected
207 shall hold the office for the remaining portion of the regular term of the office for which the vacancy is
208 being filled.

209 B. Notwithstanding any provision of law or charter to the contrary, no election to fill a vacancy shall
210 be ordered or held if the general election at which it is to be called is scheduled within 60 days of the
211 end of the term of the office to be filled.

212 C. Notwithstanding any provision of law or charter to the contrary, when an interim appointment to a
213 vacancy in any governing body or elected school board has been made by the remaining members
214 thereof, no election to fill the vacancy shall be ordered or held if the general election at which it is to
215 be called is scheduled in the year in which the term expires.

216 § 24.2-311. Effective date of decennial redistricting measures; elections following decennial
217 redistricting.

218 A. Legislation enacted to accomplish the decennial redistricting of congressional and General
219 Assembly districts required by Article II, Section 6 of the Constitution of Virginia shall take effect
220 immediately. Members of Congress and the General Assembly in office on the effective date of the
221 decennial redistricting legislation shall complete their terms of office. The elections for their successors
222 shall be held at the November general election next preceding the expiration of the terms of office of
223 the incumbent members and shall be conducted on the basis of the districts set out in the legislation to
224 accomplish the decennial redistricting.

225 B. Ordinances adopted by local governing bodies to accomplish the decennial redistricting of districts
226 for county, city, and town governing bodies required by Article VII, Section 5 of the Constitution of
227 Virginia shall take effect immediately. Members of county, city, and town governing bodies in office on
228 the effective date of a decennial redistricting measure shall complete their terms of office. The elections
229 for their successors shall be held at the general election next preceding the expiration of the terms of
230 office of the incumbent members and shall be conducted on the basis of the districts set out in the
231 measures to accomplish the decennial redistricting.

232 C. If a vacancy in any such office occurs after the effective date of a decennial redistricting measure
233 and a special election is required by law to fill the vacancy, the vacancy shall be filled from the district
234 in the decennial redistricting measure which most closely approximates the district in which the vacancy
235 occurred.

236 D. If a decennial redistricting measure adopted by a local governing body adds one or more districts
237 and also increases the size of the governing body, an election for the additional governing body member
238 or members to represent the additional district or districts for the full or partial term provided by law
239 shall be held at the next November general election ~~in any county or in any city or town that regularly~~
240 ~~elects its governing body in November pursuant to § 24.2-222.1, or at the next May general election in~~
241 ~~any other city or town,~~ which occurs at least 120 days after the effective date of the redistricting
242 measure.

243 E. In the event of a conflict between the provisions of a decennial redistricting measure and the

provisions of the charter of any locality, the provisions of the redistricting measure shall be deemed to override the charter provisions to the extent required to give effect to the redistricting plan.

§ 24.2-312. Effective date of other redistricting measures; elections following annexation.

A. Any redistricting, other than the decennial redistricting, of any county, city, or town shall be effective at midnight December 31 of the year in which the redistricting occurs.

B. Members of county, city, and town governing bodies in office when any such redistricting measure is adopted shall complete their terms of office. The elections for their successors shall be held at the general election next preceding the expiration of the terms of office of the incumbent members and shall be conducted on the basis of the districts set out in the measures to accomplish the redistricting.

C. When a county has been redistricted as a result of annexation and the redistricting occurs in the year of a regularly scheduled November general election for members of the county's board of supervisors, the November general election shall be conducted from the newly established districts so long as the redistricting measure has been adopted prior to March 15 of the year of the election.

D. When a city or town has been redistricted as a result of annexation and the redistricting occurs prior to a regularly scheduled ~~May~~ *November* general election for members of the city's or town's governing body, the ~~May~~ *November* general election shall be conducted from the newly established districts so long as the redistricting measure has been adopted prior to the ~~November~~ *March* 15 immediately preceding the election.

§ 24.2-503. Deadlines for filing required statements; extensions.

The written statements of qualification and economic interests shall be filed by (i) primary candidates not later than the filing deadline for the primary, (ii) ~~all other candidates for city and town offices to be filled at a May general election by 7:00 p.m. on the first Tuesday in March,~~ (iii) candidates in special elections by the time of qualifying as a candidate, and ~~(iv)~~ (iii) all other candidates by 7:00 p.m. on the second Tuesday in June.

A statement shall be deemed to be timely filed if it is mailed postage prepaid to the appropriate office by registered or certified mail and if the official receipt therefor, which shall be exhibited on demand, shows mailing within the prescribed time limits.

The State Board may grant an extension of any deadline for filing either or both written statements and shall notify all candidates who have not filed their statements of the extension. Any extension shall be granted for a fixed period of time of ten days from the date of the mailing of the notice of the extension.

§ 24.2-507. Deadlines for filing declarations and petitions of candidacy.

For any office, declarations of candidacy and the petitions therefor shall be filed according to the following schedule:

1. For a general election in November, by 7:00 p.m. on the second Tuesday in June;
2. ~~For a general election in May, by 7:00 p.m. on the first Tuesday in March;~~
3. For a special election held at the same time as a November general election, either (i) at least seventy-four days before the election or (ii) if the special election is being held at the second November election after the vacancy occurred, by 7:00 p.m. on the second Tuesday in June before that November election;

4. ~~For a special election held at the same time as a May general election, by 7:00 p.m. on the first Tuesday in March; or~~

5.3. For a special election held at a time other than a general election, (i) at least thirty days before the election or (ii) within five days of any writ of election or order calling a special election to be held less than thirty-five days after the issuance of the writ or order.

§ 24.2-510. Deadlines for parties to nominate by methods other than primary.

For any office, nominations by political parties by methods other than a primary shall be made and completed in the manner prescribed by law according to the following schedule:

1. For a general election in November, by 7:00 p.m. on the second Tuesday in June;
2. ~~For a general election in May, by 7:00 p.m. on the first Tuesday in March;~~
3. For a special election held at the same time as a November general election, either (i) at least seventy-four days before the election or (ii) if the special election is held at the second November election after the vacancy occurred, by 7:00 p.m. on the second Tuesday in June before that November election;

4. ~~For a special election held at the same time as a May general election, by 7:00 p.m. on the first Tuesday in March; or~~

5.3. For a special election held at a time other than a general election, (i) at least thirty days before the election or (ii) within five days of any writ of election or order calling a special election to be held less than thirty-five days after the issuance of the writ or order.

In the case of all general elections a party shall nominate its candidate for any office by a

nonprimary method only within the thirty-two days immediately preceding the primary date established for nominating candidates for the office in question. This limitation shall have no effect, however, on nominations for special elections or pursuant to § 24.2-539.

§ 24.2-682. Times for special elections.

A. Notwithstanding any charter or special act to the contrary, the following provisions govern the times for holding special elections. Every special election shall be held on a Tuesday. No special election shall be held within the sixty days prior to a general or primary election. No special election shall be held on the same day as a primary election. A special election may be held on the same day as a general election.

B. A referendum election shall be ordered at least sixty days prior to the date for which the referendum election is called.

C. A special election to fill a vacancy in any county, city, or town office, including school board member, regularly elected in a November general election, shall be held on a November general election day. ~~A special election to fill a vacancy in any city or town office, including school board member, regularly elected in a May general election, shall be held on a regular May general election day.~~

A special election to fill a vacancy in any constitutional office shall be held promptly and in accordance with the requirements of subsection A.

§ 24.2-701. Application for absentee ballot.

A. The State Board shall furnish each general registrar with a sufficient number of applications for official absentee ballots. The registrars shall furnish applications to persons requesting them.

The State Board shall implement a system that enables eligible persons to request and receive an absentee ballot application electronically through the Internet. Electronic absentee ballot applications shall be in a form approved by the State Board.

Except as provided in § 24.2-703, a separate application shall be completed for each election in which the applicant offers to vote. An application for an absentee ballot may be accepted the later of (i) 12 months before an election, or (ii) the day following any election held in the twelfth month prior to the election in which the applicant is applying to vote.

Any application received before the ballots are printed shall be held and processed as soon as the printed ballots for the election are available.

For the purposes of this chapter, the general registrar's office shall be open a minimum of eight hours between the hours of 8:00 a.m. and 5:00 p.m. on the first and second Saturday immediately preceding all general elections; ~~except May general elections held in towns;~~ and on the Saturday immediately preceding any primary election; ~~May general election held in a town;~~ or special election.

Unless physically disabled, all applications for absentee ballots shall be signed by the applicant who shall state, subject to felony penalties for making false statements pursuant to § 24.2-1016, that to the best of his knowledge and belief the facts contained in the application are true and correct and that he has not and will not vote in the election at any other place in Virginia or in any other state. If the applicant is unable to sign the application, a person assisting the applicant will note this fact on the applicant signature line and provide his signature, name, and address.

B. Applications for absentee ballots shall be completed in the following manner:

1. An application completed in person shall be made not less than three days prior to the election in which the applicant offers to vote and completed only in the office of the general registrar. The applicant shall sign the application in the presence of a registrar or a member of the electoral board. The applicant shall provide one of the forms of identification specified in subsection B of § 24.2-643, or if he is unable to present one of the forms of identification listed in that section, he shall sign a statement, subject to felony penalties for making false statements pursuant to § 24.2-1016, that he is the named registered voter who he claims to be. An applicant who requires assistance in voting by reason of physical disability or inability to read or write may request assistance pursuant to § 24.2-649 and be assisted in preparation of this statement in accordance with that section. The provisions of § 24.2-649 regarding persons who are unable to sign shall be followed when assisting an applicant in completing this statement.

For federal elections held after January 1, 2004, this paragraph shall apply in the case of any voter who is required by subparagraph (b) of 42 U.S.C.S. § 15483 of the Help America Vote Act of 2002 to show identification the first time that voter votes in a federal election in the state. After completing an application for an absentee ballot in person, such voter shall present: (i) a current and valid photo identification; or (ii) a copy of a current utility bill, bank statement, government check, paycheck or other document that shows the name and address of the voter. Such individual who desires to vote in person but who does not show one of the forms of identification specified in this paragraph shall be offered a provisional ballot under the provisions of § 24.2-653. Neither the identification requirements of subsection B of § 24.2-643, nor the identification requirements of subsection A of § 24.2-653, shall apply to such voter at that election. The State Board of Elections shall provide instructions to the electoral boards for the handling and counting of such provisional ballots pursuant to subsection B of

§ 24.2-653 and this section.

2. Any other application may be made by mail, electronic or telephonic transmission to a facsimile device if one is available to the office of the general registrar or the office of the State Board if a device is not available locally, or other means. The application shall be on a form furnished by the registrar or, if made under subdivision 2 of § 24.2-700, may be on a Federal Post Card Application prescribed pursuant to 42 U.S.C. § 1973ff (b) (2). The Federal Post Card Application may be accepted the later of (i) 12 months before an election, or (ii) the day following any election held in the twelfth month prior to the election in which the applicant is applying to vote. The application shall be made to the appropriate registrar no later than 5:00 p.m. on the seventh day prior to the election in which the applicant offers to vote.

C. Applications for absentee ballots shall contain the following information:

1. The applicant's printed name, the last four digits of the applicant's social security number, and the reason the applicant will be absent or cannot vote at his polling place on the day of the election;

2. A statement that he is registered in the county or city in which he offers to vote and his residence address in such county or city. Any person temporarily residing outside the United States shall provide the last date of residency at his Virginia residence address, if that residence is no longer available to him. Any person who makes application under subdivision 2 of § 24.2-700 who is not a registered voter may file the applications to register and for a ballot simultaneously;

3. The complete address to which the ballot is to be sent directly to the applicant, unless the application is made in person at a time when the printed ballots for the election are available and the applicant chooses to vote in person at the time of completing his application. The address given shall be either the address of the applicant on file in the registration records or the address at which he will be located while absent from his county or city. No ballot shall be sent to, or in care of, any other person; and

4. In the case of a person, or the spouse or dependent of a person, who is on active service as a member of the armed forces of the United States or a member of the merchant marine of the United States, the branch of service to which he or the spouse belongs, and his or the spouse's rank, grade, or rate, and service identification number; or

5. In the case of a student, or the spouse of a student, who is attending a school or institution of learning, the name and address of the school or institution of learning; or

6. In the case of a person who is unable to go in person to the polls on the day of the election because of a physical disability or physical illness, the nature of the illness or disability; or

7. In the case of a person who is confined awaiting trial or for having been convicted of a misdemeanor, the name and address of the institution of confinement; or

8. In the case of a person who will be absent on election day for business reasons, the name of his employer or business; or

9. In the case of a person who will be absent on election day for personal business or vacation reasons, the name of the county or city in Virginia or the state or country to which he is traveling; or

10. In the case of a person who is unable to go to the polls on the day of election because he is primarily and personally responsible for the care of an ill or disabled family member who is confined at home, the name of the family member and the nature of his illness or disability; or

11. In the case of a person who is unable to go to the polls on the day of election because of an obligation occasioned by his religion, his religion and the nature of the obligation; or

12. In the case of a person who, in the regular and orderly course of his business, profession, or occupation, will be at his place of work and commuting to and from his home to his place of work for 11 or more hours of the 13 hours that the polls are open pursuant to § 24.2-603, the name of his business or employer, address of his place of work, and hours he will be at the workplace and commuting on election day.

§ 24.2-947.8. Filing requirements for special elections.

A. Candidates for nomination or election to an office to be filled by a special election held on a regular election date shall file the prescribed reports of contributions and expenditures which apply to regularly scheduled elections for that office.

B. In the case of a special election held on a date other than a regularly scheduled general election, the candidate shall file as follows:

1. A report not later than the eighth day before the special election date complete through the eleventh day before that date;

2. A postelection report no later than the thirtieth day after the election and prior to taking office; and

3. A postelection report not later than January 15 and July 15 each year until a final report is filed.

C. Any candidate, who has been subject to the election year filing schedule set out in subdivisions B 1 through B 3 and who has not filed a final report, shall file reports in any subsequent election year for

428 the same office in accordance with the election year filing schedule set out in § 24.2-947.6 ~~or 24.2-947.7~~
429 as appropriate for that office.

430 D. Any candidate shall also file any report of certain large contributions required by § 24.2-947.9 or
431 24.2-948, if applicable.

432 § 24.2-948.2. Reports as condition to qualification for office.

433 A. No person shall be permitted to qualify for any office, enter upon the duties thereof, or receive
434 any salary or emoluments therefrom until he has filed the campaign finance reports required in
435 subdivisions A 3 through A 9 of § 24.2-947.6; ~~subdivisions A 1, A 2, and A 3 of § 24.2-947.7;~~ and
436 subdivisions B 1 and B 2 of § 24.2-947.8, as applicable; and a final report if required by subsection C
437 of § 24.2-948.1; and has responded to and complied with any notice that additional information is
438 required to complete a report in compliance with § 24.2-953.3. No person shall be permitted to qualify
439 for any office, enter upon the duties thereof, or receive any salary or emoluments therefrom until he has
440 paid any civil penalty and returned any contribution required to be returned pursuant to § 24.2-953.5. No
441 officer authorized by the laws of this Commonwealth to issue certificates of election shall issue one to
442 any person determined to be elected to any such office, until copies of the reports cited above have been
443 filed as required in this article.

444 B. Notwithstanding the requirements of subsection A, a person who is elected to fill a vacancy at a
445 special election held on a general election day may qualify for the office and be issued a certificate of
446 election in advance of filing the postelection report required to be filed under subdivision A 9 of
447 § 24.2-947.6 in the case of a November election, ~~or under subdivision A 3 of § 24.2-947.7 in the case of~~
448 ~~a May election;~~ upon the filing of a postelection report complete through the election day.

449 § 24.2-951.7. Large dollar contribution reporting requirement for referendum committees.

450 In addition to the reports required by §§ 24.2-951.4, ~~24.2-951.5~~ and 24.2-951.6, referendum
451 committees shall report any single contribution or loan of \$10,000 or more received at any time during
452 the calendar year within three business days of receipt of the contribution or loan.

453 1. The report shall be filed on a "large dollar contribution report" form prescribed by the State Board
454 and shall be filed in writing or electronically in the same manner as the person or committee files its
455 quarterly disclosure reports.

456 2. Any contribution or loan reported pursuant to this section shall also be reported on the next
457 subsequent report required under this article following receipt of the contribution or loan.

458 3. For the purposes of this section, referendum committees shall report as one contribution multiple
459 contributions from a single source that have been subdivided into smaller amounts or given through
460 different bank accounts for the purpose of evading the \$10,000 threshold.

461 4. A referendum committee that receives contributions from affiliated organizations shall not be
462 deemed to be receiving contributions from a single source.

463 2. That §§ 24.2-222.1, 24.2-947.7, and 24.2-951.5 of the Code of Virginia are repealed.