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**HOUSE BILL NO. 1961**

Offered January 9, 2013

Prefiled January 9, 2013

*A BILL to amend and reenact § 3.02 of Chapter 640 of the Acts of Assembly of 2011, which provided a charter for the City of Portsmouth, relating to election dates.*

Patrons—James; Senators: Blevins, Locke and Lucas

Referred to Committee on Counties, Cities and Towns

**Be it enacted by the General Assembly of Virginia:**

**1. That § 3.02 of Chapter 640 of the Acts of Assembly of 2011 is amended and reenacted as follows:**

**§ 3.02. Nomination of Candidates.**

a. Candidates for the offices of Mayor and members of the City Council under the provisions of this Charter shall be nominated by petition. Any qualified voter of the city may be nominated as provided herein. Subject to the provisions herein, there shall be printed on the ballots to be used in any municipal election for the election of Mayor and City Council members the names of all candidates who have been nominated by petition and no others. A nominating petition shall conform substantially to the following requirements:

(1) Such petition shall state the name and place of residence of each person whose name is presented for a place upon the ballot, and shall request such person or persons to become a candidate or candidates for the office of Mayor or City Council.

(2) Such petition shall be signed by at least one hundred and twenty-five (125) qualified electors of the city and shall contain the residence address of each elector and an affidavit of any other qualified voter who witnessed said signatures.

(3) Each elector signing a petition may subscribe to one nomination for each of the places to be filled at the ensuing election, and no more.

(4) Such petition shall not be signed by any elector prior to ~~the first Tuesday in~~ January 1 of the year of such election, and such petition shall be filed with the general registrar of the city not later than the time fixed for the closing of the polls on the ~~first~~ *second* Tuesday in June of the year of the election.

b. Any person whose name has been submitted for candidacy by petition as herein provided, shall file his or her acceptance of such candidacy with the general registrar of the city not later than the time fixed for the closing of the polls on the ~~first~~ *second* Tuesday in June of the year of the election, otherwise that name shall not appear on the ballot. The filing of such acceptance shall be deemed equivalent to the filing of notice of candidacy under the general election laws of the State, and no other notice of candidacy need be given by the person filing the same.

c. No person may be a candidate for the office of Mayor and office of City Council member in the same election.

d. Candidates for the offices of Mayor and City Council member shall appoint one campaign treasurer and file the name and address of said campaign treasurer with the Portsmouth Electoral Board not later than the ~~first~~ *second* Tuesday of June of the year of the election. Any candidate who fails to appoint and report the appointment of a treasurer shall be deemed to have appointed him/herself treasurer. All candidates for such offices shall comply with the applicable provisions of Chapter 9 of Title 24.2 of the Code of Virginia.

**2. That an emergency exists and this act is in force from its passage.**

INTRODUCED

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