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HOUSE BILL NO. 55**FLOOR AMENDMENT IN THE NATURE OF A SUBSTITUTE**(Proposed by Delegate Cole
on January 31, 2012)

(Patron Prior to Substitute—Delegate Cole)

*A BILL to amend and reenact §§ 24.2-506, 24.2-507, 24.2-510, 24.2-515, and 24.2-544 of the Code of Virginia, relating to elections and the scheduling of primaries.***Be it enacted by the General Assembly of Virginia:****1. That §§ 24.2-506, 24.2-507, 24.2-510, 24.2-515, and 24.2-544 of the Code of Virginia are amended and reenacted as follows:**

§ 24.2-506. Petition of qualified voters required; number of signatures required; certain towns excepted.

The name of any candidate for any office, other than a party nominee, shall not be printed upon any official ballots provided for the election unless he shall file along with his declaration of candidacy a petition therefor, on a form prescribed by the State Board, signed by the number of qualified voters specified below after January 1 of the year in which the election is held and listing the residence address of each such voter. *Candidates for any office elected in November of a presidential election year will not be subject to the requirement that all petition signatures be gathered after January 1 of the year in which the election is held.* Each signature on the petition shall have been witnessed by a person who is himself a qualified voter, or qualified to register to vote, for the office for which he is circulating the petition and whose affidavit to that effect appears on each page of the petition.

Each voter signing the petition may provide on the petition the last four digits of his social security number, if any; however, noncompliance with this requirement shall not be cause to invalidate the voter's signature on the petition.

The minimum number of signatures of qualified voters required for candidate petitions shall be as follows:

1. For a candidate for the United States Senate, Governor, Lieutenant Governor, or Attorney General, 10,000 signatures, including the signatures of at least 400 qualified voters from each congressional district in the Commonwealth;

2. For a candidate for the United States House of Representatives, 1,000 signatures;

3. For a candidate for the Senate of Virginia, 250 signatures;

4. For a candidate for the House of Delegates or for a constitutional office, 125 signatures;

5. For a candidate for membership on the governing body or elected school board of any county or city, 125 signatures; or if from an election district not at large containing 1,000 or fewer registered voters, 50 signatures;

6. For a candidate for membership on the governing body or elected school board of any town which has more than 1,500 registered voters, 125 signatures; or if from a ward or other district not at large, 25 signatures;

7. For membership on the governing body or elected school board of any town which has 1,500 or fewer registered voters, no petition shall be required;

8. For a candidate for director of a soil and water conservation district created pursuant to Article 3 (§ 10.1-506 et seq.) of Chapter 5 of Title 10.1, 25 signatures; and

9. For any other candidate, 50 signatures.

§ 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 of a non-presidential election year, by 7:00 p.m. on the second Tuesday in June;

2. For a general election in November of a presidential election year, by 7:00 p.m. on the first Tuesday in March;

3. For a general election in May, by 7:00 p.m. on the first Tuesday in March;

34. For a special election held at the same time as a November general election, either (i) at least 81 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;

45. 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

56. For a special election held at a time other than a general election, (i) at least 60 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 60 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 of a non-presidential election year, by 7:00 p.m. on the second Tuesday in June;

2. For a general election in November of a presidential election year, by 7:00 p.m. on the first Tuesday in March;

3. For a general election in May, by 7:00 p.m. on the first Tuesday in March;

34. For a special election held at the same time as a November general election, either (i) at least 81 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;

45. 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

56. For a special election held at a time other than a general election, (i) at least 60 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 60 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 47 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.

§ 24.2-515. Presidential election year primaries.

Primaries A. Except as provided in subsection B, primaries for the nomination of candidates for offices to be voted on at the general election date in November shall be held on the second Tuesday in June next preceding such election; except that beginning with the year 2012 and in presidential election years thereafter, primaries to choose among presidential candidates may be held as provided in Article 7 (§ 24.2-544 et seq.). Primaries for the nomination of candidates for offices to be voted on at the general election date in May shall be held on the first Tuesday in March next preceding such election.

B. In presidential election years beginning in the year 2016, primaries to choose among presidential candidates shall be held as provided in Article 7 (§ 24.2-544 et seq.), and primaries for the nomination of candidates for offices to be voted on at the general election in November shall be held on the same date as the presidential primary. The schedule and deadlines applicable to notices, filings, and ballots for the presidential primary shall be applicable to other primaries held on the date of the presidential primary. The State Board of Elections shall promulgate instructions to implement the provisions of this subsection.

§ 24.2-544. Time presidential primaries to be held and completion of duties by officers of election; age qualifications for participation.

A. Primaries for the nomination of candidates for the office of President of the United States to be voted on at the November 2012 general election and the November general election in each presidential election year thereafter shall be held on the first Tuesday in March preceding the November general election.

B. The provisions of this title shall apply to the conduct of presidential election year primaries including the time limits applicable to notices and candidate filing deadlines and the closing of registration records before the primary. The State Board shall provide a schedule for the notices and filing deadlines by the August 1 prior to the March primary including a campaign finance disclosure report filing schedule adjusted to reflect the differences between the June date for other primaries and the March date for the presidential primary and primaries for the nomination of candidates for offices to be voted on at the general election date in May.

C. Notwithstanding any other provision of law to the contrary, any officer of election who serves at any election held on the first Tuesday in March shall be required to complete his official duties relating to that election whether or not he has been reappointed to serve for the ensuing year.

D. Notwithstanding any other provision of law to the contrary, any person who is otherwise qualified and will be 18 years of age on or before the day of the next November general election shall be permitted to register in advance of and also vote in any presidential primary and any other primary held on the same day.