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HOUSE BILL NO. 1362

Offered January 14, 2015

Prefiled December 4, 2014

A BILL to amend and reenact § 24.2-673 of the Code of Virginia, relating to run-off elections.

Patrons—Lingamfelter and Cole

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:

1. That § 24.2-673 of the Code of Virginia is amended and reenacted as follows:

§ 24.2-673. Number of votes required for election; run-off election required.

A. No candidate for statewide office or for the United States Senate shall be deemed to have been elected at a general election to that office unless such candidate receives more than 50 percent of the total votes cast for the office. Except in the case of a recount pursuant to the provisions of Chapter 8 (§ 24.2-800 et seq.) ~~of this title~~, in all *other* elections ~~for the choice of any officer~~*, including the general election of electors for the President and Vice-President of the United States*, unless it is otherwise expressly provided, the person having the highest number of votes for ~~any~~ *an* office shall be deemed to have been elected to such office and shall receive the certificate of election.

B. If no candidate for statewide office or for the United States Senate receives more than 50 percent of the total votes cast at the general election for that office, a run-off election shall be held between the candidates receiving the highest and next-highest number of votes for that office. However, no run-off election shall be held if the number of write-in votes cast for an office and the number of votes cast for the candidate receiving the highest number of votes for an office together equal more than 50 percent of the total votes cast for that office.

C. Nothing in this section shall be construed to preclude the right of the candidate apparently defeated to file a petition for a recount of the election pursuant to the provisions of Chapter 8 (§ 24.2-800 et seq.). If a candidate files such a petition and a recount is conducted, a run-off election required by the provisions of this section shall be held on the fourth Tuesday following the date of the certification by the court of the results of the recount. If no recount is conducted, a run-off election required by the provisions of this section shall be held on the fourth Tuesday following the date of the certification by the State Board of the results of the general election. However, if the fourth Tuesday following the date of the certification of the results of the recount or the general election is a legal holiday named in § 2.2-3300, the run-off election required by the provisions of this section shall be held on the sixth Tuesday following the date of the certification of the results of the recount or the general election, as applicable.

D. A run-off election required by the provisions of this section shall be conducted in accordance with the provisions of this chapter.