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HOUSE BILL NO. 806

Offered January 13, 2016

Prefiled January 12, 2016

A *BILL to amend and reenact §§ 24.2-530 and 24.2-535 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 24.2-418.01 and 24.2-423.1, relating to voter registration by political party; primary elections.*

Patrons—Lingamfelter and Landes

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:

1. That §§ 24.2-530 and 24.2-535 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding sections numbered 24.2-418.01, 24.2-423.1, and 24.2-516.1 as follows:

§ 24.2-418.01. Application for registration; political party affiliation; independent status.

A. On and after January 1, 2017, each application to register shall provide a space for the applicant to state his political party affiliation or independent status. If the applicant does not state a political party affiliation, he shall be designated as independent in the registration records.

B. Each voter registered prior to January 1, 2017, shall be designated an independent in the registration records unless the voter changes his designation to a political party affiliation pursuant to § 24.2-423.1.

§ 24.2-423.1. Change of political party affiliation or independent status.

A. On and after January 1, 2017, any registered voter may change his political party affiliation or independent status on his registration record by providing notice to the general registrar of the jurisdiction where he is registered. Such notice may be made in person, in writing, or on a form approved by the State Board, which may be electronic. The notice in writing may be provided by mail or by facsimile and shall be signed by the voter unless he is physically unable to sign, in which case his own mark, acknowledged by a witness, shall be sufficient signature. Notice may be provided by electronic means as authorized by the State Board and signed by the voter in a manner consistent with the provisions of § 24.2-416.7 and the Uniform Electronic Transactions Act (§ 59.1-479 et seq.). The general registrar shall enter the voter's new political party affiliation or independent status on the registration records and issue the voter a new voter registration card confirming the changed affiliation or status. No more than one change of a voter's political party affiliation or independent status on his registration records shall be permitted within any twelve-month period.

B. No change in a voter's political party affiliation shall be entered in the registration records at any time the registration records are closed pursuant to § 24.2-416. However, any voter designated as independent on his registration record shall be permitted to change his independent status to a political party affiliation at any point after the registration records are closed prior to a primary election, including on the day of the primary election.

§ 24.2-530. Who may vote in primary.

~~All persons qualified to vote, pursuant to §§ 24.2-400 through 24.2-403, Any qualified voter who is registered as being affiliated with a political party may vote at the primary of that political party. No person shall vote for the candidates of more than one a political party if he is not registered as being affiliated with that political party or if he is designated on his registration record as independent.~~

§ 24.2-535. Vote required to nominate.

Any candidate for party nomination to any office who receives a plurality of the votes cast ~~by~~ at his political party primary shall be the nominee of his party for that office and his name shall be printed on the official ballots used in the election for which the primary was held.

2. That the provisions of this act shall be applicable only to primaries conducted after January 1, 2017.

INTRODUCED

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