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HOUSE BILL NO. 1933

Offered January 11, 2017

Prefiled January 10, 2017

A BILL to amend and reenact § 24.2-612.1 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 24.2-612.2, relating to candidate withdrawal; notice of withdrawal; information to voters.

Patron—Carr

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:

1. That § 24.2-612.1 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 24.2-612.2 as follows:

§ 24.2-612.1. Ballots; death, withdrawal, or disqualification of candidates.

In the case of the death, withdrawal, or disqualification of any candidate, other than a party nominee, who has qualified to have his name printed on the ballot for any election other than a presidential or primary election, the State Board of Elections shall take into account the time available before the election and the status of the ballots for the election and shall have authority to direct the electoral boards on how to proceed to print the ballot without the candidate's name, correct the ballot to delete the candidate's name, or provide notice to voters of the death, withdrawal, or disqualification of the candidate. *However, whenever ballots are not corrected to delete the candidate's name, the general registrar or electoral board shall provide a List of Withdrawals to be posted in each polling place and to be distributed to the voters.*

The State Board shall have like authority in the case of the death, withdrawal, or disqualification of a party nominee subject to the provisions of Article 5 (§ 24.2-539 et seq.) of Chapter 5 of this title.

§ 24.2-612.2. Notice of withdrawal of candidates.

Any candidate who withdraws prior to the election for which he had qualified to have his name printed on the ballot shall provide notice of his intent to withdraw. Such notice may be provided by (i) a written and signed statement filed with the general registrar or (ii) a statement made by the candidate to a newspaper having general circulation in the jurisdiction, in an interview with news media broadcasted by a television station, or published on a website or social media account paid for or authorized by the candidate. In the case of notice provided in accordance with clause (ii), the general registrar shall send a letter by certified mail to confirm the candidate's withdrawal, and the candidate shall, within two days of receipt of such letter, submit a written and signed statement to the general registrar confirming or denying the withdrawal.

INTRODUCED

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