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**HOUSE JOINT RESOLUTION NO. 635**

Offered January 11, 2017

Prefiled January 10, 2017

*Proposing an amendment to the Constitution of Virginia by adding in Article II a section numbered 10, relating to top two primary elections for candidates for Governor, Lieutenant Governor, and Attorney General.*

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Patrons—Cole and Rasoul

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Referred to Committee on Privileges and Elections

RESOLVED by the House of Delegates, the Senate concurring, a majority of the members elected to each house agreeing, That the following amendment to the Constitution of Virginia be, and the same hereby is, proposed and referred to the General Assembly at its first regular session held after the next general election of members of the House of Delegates for its concurrence in conformity with the provisions of Section 1 of Article XII of the Constitution of Virginia, namely:

Amend the Constitution of Virginia by adding in Article II a section numbered 10 as follows:

**ARTICLE II****FRANCHISE AND OFFICERS**

*Section 10. Top two primary election.*

*The General Assembly shall provide by law for a top two primary election for the nomination of candidates for the offices of Governor, Lieutenant Governor, and Attorney General. All candidates for Governor, Lieutenant Governor, and Attorney General shall be listed on a single ballot, regardless of political party affiliation or independent status. Any qualified voter may vote at a top two primary election for any candidate regardless of his or the candidate's political party affiliation or independent status. The two candidates receiving the highest and next highest number of votes cast for each office at the top two primary election shall be the candidates at the general election for such office.*

*Notwithstanding the provisions of Section 3, provision shall be made whereby votes may be cast at a top two primary election for persons other than the listed candidates, but no votes shall be permitted to be cast for persons other than the listed candidates at the general election.*

*No political party shall nominate a candidate for the offices of Governor, Lieutenant Governor, and Attorney General. No political party shall have the right to have a preferred candidate on the ballot at the general election for the offices of Governor, Lieutenant Governor, and Attorney General. The political parties shall have the right to contribute to, endorse, or otherwise support a candidate for the office of Governor, Lieutenant Governor, or Attorney General in accordance with law.*

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