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SENATE BILL NO. 26

Offered January 10, 2018

Prefiled November 20, 2017

A BILL to amend and reenact § 24.2-509 of the Code of Virginia, relating to method of nominating party candidates; certain incumbents to determine method.

 Patron—Spruill

 Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:**1. That § 24.2-509 of the Code of Virginia is amended and reenacted as follows:****§ 24.2-509. Party to determine method of nominating its candidates for office; exceptions.**

A. The duly constituted authorities of the state political party shall have the right to determine the method by which a party nomination for a member of the United States Senate or for any statewide office shall be made. The duly constituted authorities of the political party for the district, county, city, or town in which any other office is to be filled shall have the right to determine the method by which a party nomination for that office shall be made.

B. Notwithstanding subsection A, the following provisions shall apply to the determination of the method of making party nominations.

1. A party shall nominate its candidate for election for a General Assembly district where there is only one incumbent of that party for the district by the method designated by that incumbent, or absent any designation by him by the method of nomination determined by the party. A party shall nominate its candidates for election for a General Assembly district where there is more than one incumbent of that party for the district by a primary unless all the incumbents consent to a different method of nomination.

2. A party shall nominate its candidate for election to a constitutional office where there is an incumbent by the method designated by that incumbent. Absent any designation by the incumbent, the party shall determine the method of nomination for that office.

3. A party, whose candidate at the immediately preceding election for a particular office, other than the General Assembly or a constitutional office, (i) was nominated by a primary or filed for a primary but was not opposed and (ii) was elected at the general election, shall nominate a candidate for the next election for that office by a primary unless all incumbents of that party for that office consent to a different method.

4. When, under ~~any of the foregoing provisions~~ subdivision 1, 2, or 3, no incumbents offer as candidates for reelection to the same office, the method of nomination shall be determined by the political party.

For the purposes of this subsection, any officeholder who offers for reelection to the same office shall be deemed an incumbent notwithstanding that the district ~~which~~ that he represents differs in part from that for which he offers for election.

INTRODUCED

SB26