

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 24.2-509 of the Code of Virginia, relating to nomination of candidates*  
3 *for elected offices; restrictions on nomination method selected by political party.*

4 [H 2020]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 24.2-509 of the Code of Virginia is amended and reenacted as follows:**8 **§ 24.2-509. Party to determine method of nominating its candidates for office; exceptions.**

9 A. The duly constituted authorities of the state political party shall have the right to determine the  
10 method by which a party nomination for a member of the United States Senate or for any statewide  
11 office shall be made. The duly constituted authorities of the political party for the district, county, city,  
12 or town in which any other office is to be filled shall have the right to determine the method by which  
13 a party nomination for that office shall be made. *A method of nomination shall not be selected if such*  
14 *method will have the practical effect of excluding participation in the nominating process by qualified*  
15 *voters who are otherwise eligible to participate in the nominating process under that political party's*  
16 *rules but are unable to attend meetings because they are (i) a member of a uniformed service, as*  
17 *defined in § 24.2-452, on active duty; (ii) temporarily residing outside of the United States; (iii) a*  
18 *student attending a school or institution of higher education; (iv) a person with a disability; or (v) a*  
19 *person who has a communicable disease of public health threat as defined in § 32.1-48.06 or who may*  
20 *have come in contact with a person with such disease. However, such restriction shall not apply when*  
21 *selecting a candidate for a special election or nominating a candidate pursuant to § 24.2-539, or in the*  
22 *event that no candidate files the required paperwork by the deadline prescribed in § 24.2-522.*

23 B. Notwithstanding subsection A, the following provisions shall apply to the determination of the  
24 method of making party nominations. A party shall nominate its candidate for election for a General  
25 Assembly district where there is only one incumbent of that party for the district by the method  
26 designated by that incumbent, or absent any designation by him by the method of nomination  
27 determined by the party. A party shall nominate its candidates for election for a General Assembly  
28 district where there is more than one incumbent of that party for the district by a primary unless all the  
29 incumbents consent to a different method of nomination. A party, whose candidate at the immediately  
30 preceding election for a particular office other than the General Assembly (i) was nominated by a  
31 primary or filed for a primary but was not opposed and (ii) was elected at the general election, shall  
32 nominate a candidate for the next election for that office by a primary unless all incumbents of that  
33 party for that office consent to a different method.

34 When, under any of the foregoing provisions, no incumbents offer as candidates for reelection to the  
35 same office, the method of nomination shall be determined by the political party.

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

39 **2. That the provisions of this act shall become effective on January 1, 2024.**