

24106115D

HOUSE BILL NO. 126

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the House Committee on Privileges and Elections
on January 26, 2024)

(Patron Prior to Substitute—Delegate Watts)

A BILL to amend and reenact §§ 24.2-504, 24.2-539, and 24.2-953.1 of the Code of Virginia, relating to candidates for office; persons entitled to have name printed on ballot; required campaign finance reports.

Be it enacted by the General Assembly of Virginia:

1. That §§ 24.2-504, 24.2-539, and 24.2-953.1 of the Code of Virginia are amended and reenacted as follows:

§ 24.2-504. Persons entitled to have name printed on ballot.

A. Only a person fulfilling all the requirements of a candidate shall have his name printed on the ballot for the election. *A person who fails to file at least one campaign finance report that is required in an election year pursuant to § 24.2-947.6 by July 20 shall not have his name printed on the ballot at the general election for the office sought.*

B. No person shall have his name printed on the ballot for more than one office at any one election. However, a candidate for federal or statewide office, or a candidate for an office being filled in a special election, may have his name printed on the ballot for two offices at an election.

§ 24.2-539. Party may nominate when nominee dies, withdraws, or nomination is set aside; duty of party chairman.

Should the nominee of any party die, withdraw, or have his nomination set aside for any reason, the party may nominate to fill the vacancy in accordance with its own rules. A candidate who has been disqualified for failing to meet the filing requirements of Article 1 (§ 24.2-500 et seq.) of this chapter, *including the requirement that he file at least one campaign finance report required in an election year pursuant to § 24.2-947.6 by July 20*, shall not be renominated. No party shall renominate any person whose nomination has been set aside for fraud knowingly participated in by the candidate. The party chairman or chairmen shall promptly certify the name of any such nominee to the appropriate electoral boards and the nominee shall promptly comply with the filing requirements of Article 1 of this chapter.

§ 24.2-953.1. Failure to file the required reports.

A. In the case of a failure to file the statement of organization for a candidate campaign committee or political committee required by this chapter, there shall be a civil penalty not to exceed \$500.

B. In the case of the failure to file a required report, the candidate campaign committee or political committee shall be assessed a civil penalty not to exceed \$500. In the case of the failure to file a report required pursuant to subsection D or E of § 24.2-949.6, the political action committee shall be assessed a civil penalty not to exceed \$500. In the case of a second or any subsequent such violation pertaining to one election cycle, the candidate campaign committee or political committee shall be assessed a civil penalty of \$1,000 for each such failure to file.

C. In the case of a failure to file the report of any large pre-election contribution required by § 24.2-947.9 or 24.2-949.7:1 or a report required pursuant to subsection D or E of § 24.2-949.6, there shall be a rebuttable presumption that the violation was willful.

D. In the case of a failure to file at least one campaign finance report that is required in an election year pursuant to § 24.2-947.6 by July 20, the candidate shall not have his name printed on the ballot at the general election for the office sought.