

977556713

SENATE BILL NO. 693

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Privileges and Elections
on January 28, 1997)

(Patron Prior to Substitute—Senator Miller, K.)

A BILL to amend and reenact §§ 24.2-501, 24.2-613 and 24.2-640 of the Code of Virginia, relating to elections, ballots, the form of ballots, and statements of qualification and political party designations for candidates.

Be it enacted by the General Assembly of Virginia:

1. That §§ 24.2-501, 24.2-613 and 24.2-640 of the Code of Virginia are amended and reenacted as follows:

§ 24.2-501. Statement of qualification as requirement of candidacy.

It shall be a requirement of candidacy for any office of the Commonwealth, or of its governmental units, that a person must file a written statement under oath, on a form prescribed by the State Board, that he is qualified to vote for and hold the office for which he is a candidate. Every candidate for election to statewide office, the United States House of Representatives, or the General Assembly shall file the statement with the State Board. Every candidate for any other office shall file the statement with the general registrar of the county or city where he resides. Each general registrar shall transmit to the State Board, immediately after the filing deadline, a list of the candidates who have filed statements of qualification. *Every candidate shall indicate on his statement of qualification whether or not he chooses to be identified on the general or special election ballot by the name of his political party, by the term "Independent" or by no identifying designation.*

§ 24.2-613. Form of ballot.

The ballots shall be white paper without any distinguishing mark or symbol and shall contain the names of all the candidates qualifying to have their names printed on the official ballot as provided by law. Their names shall be printed in black ink, immediately below the office for which they have qualified as candidates. The names on the ballot shall be in clear print; each name shall be on a separate line; and the type used in printing the ballots shall be plain roman type, not smaller than twelve-point pica. Immediately to the left of and on the same line with the name of each candidate shall be printed a square, not less than one-quarter, nor more than one-half inch in size, printed thus:

JOHN DOE

Each candidate who has been nominated by a political party or in a primary election may be identified by the name of his political party if he so chooses pursuant to § 24.2-501. Each independent candidate may be identified by the term "Independent" if he so chooses pursuant to § 24.2-501. The name of the political party or term "Independent" may be shown by an initial or abbreviation to meet ballot requirements.

Except as provided for primary elections, the State Board shall determine by lot the order of the political parties, and the names of all candidates for a particular office shall appear together in the order determined for their parties. In an election district in which more than one person is nominated by one political party for the same office, the candidates' names shall appear alphabetically in their party groups under the name of the office, with sufficient space between party groups to indicate them as such. For the purpose of this section and § 24.2-640, except as provided for presidential elections in § 24.2-614, independent candidates shall be treated as a class under "Independent"; their names shall be placed on the ballot after the political parties; and where there is more than one independent candidate for an office, their names shall appear alphabetically.

~~No names of political parties shall appear on the ballot, except as provided in § 24.2-614 for presidential elections.~~

No individual's name shall appear on the ballot more than once for the same office.

In preparing the ballots for general, special and primary elections, the State Board and electoral boards shall cause to be printed in not less than ten-point type, immediately below the title of any office, a statement of the number of candidates who may be voted for that office. The following language shall be used: "Vote for not more than"

§ 24.2-640. Ballots generally.

In every county and city using mechanical or direct electronic voting systems requiring printed ballots, the electoral board shall furnish a sufficient number of ballots printed on plain white paper, of such form and size as will fit the ballot frames. The names of the various candidates shall be printed in type not less than fourteen point. On mechanical devices, the name of the office for which candidates are offering for election shall be printed in reverse printing or overlaid with a colored plastic strip.

~~Party nominations~~ *Each candidate who has been nominated by a political party or in a primary*

60 *election may be identified by the name of his political party if he so chooses pursuant to § 24.2-501.*
61 *Each independent candidate may be identified by the term "Independent" if he so chooses pursuant to*
62 *§ 24.2-501. The name of the political party or term "Independent" may be shown by an initial or*
63 *abbreviation to meet ballot requirements. All candidates shall be arranged on each device or other ballot*
64 *to be electronically counted, either in columns or horizontal rows, and the caption of the various ballots*
65 *on the devices shall be placed so that the voter knows what feature is to be used or operated to vote for*
66 *his choice. No push knob, key lever or other device shall be used to vote for any candidate other than*
67 *on an individual basis except for presidential electors. In districts in which more than one person is*
68 *nominated by a single party for the same office, the nominations for each party shall be grouped*
69 *together in a separate row or column, or placed with sufficient space between party groups to indicate*
70 *them as such names of the candidates shall appear alphabetically within their party groups. The*
71 *provisions of general law concerning ballots shall apply unless in conflict with this section.*