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SENATE BILL NO. 728

Offered February 1, 2006

A *BILL to amend and reenact §§ 24.2-503, 24.2-507, 24.2-510, 24.2-515, and 24.2-515.1 of the Code of Virginia, relating to primary elections; dates and procedures; date of June primary.*

Patrons—Potts and Quayle

Unanimous consent to introduce

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:

1. That §§ 24.2-503, 24.2-507, 24.2-510, 24.2-515, and 24.2-515.1 of the Code of Virginia are amended and reenacted as follows:

§ 24.2-503. Deadlines for filing required statements; extensions.

The written statements of qualification and economic interests shall be filed by (i) primary candidates not later than the filing deadline for the primary, (ii) all other candidates for city and town offices to be filled at a May general election by 7:00 p.m. on the first Tuesday in March, (iii) candidates in special elections by the time of qualifying as a candidate, and (iv) all other candidates by 7:00 p.m. on the second Tuesday in ~~June~~ *September*.

A statement shall be deemed to be timely filed if it is mailed postage prepaid to the appropriate office by registered or certified mail and if the official receipt therefor, which shall be exhibited on demand, shows mailing within the prescribed time limits.

The State Board may grant an extension of any deadline for filing either or both written statements and shall notify all candidates who have not filed their statements of the extension. Any extension shall be granted for a fixed period of time of ten days from the date of the mailing of the notice of the extension.

§ 24.2-507. Deadlines for filing declarations and petitions of candidacy.

For any office, declarations of candidacy and the petitions therefor shall be filed according to the following schedule:

1. For a general election in November, by 7:00 p.m. on the second Tuesday in ~~June~~ *September*;

2. For a general election in May, by 7:00 p.m. on the first Tuesday in March;

3. For a special election held at the same time as a November general election, either (i) at least seventy-four days before the election or (ii) if the special election is being held at the second November election after the vacancy occurred, by 7:00 p.m. on the second Tuesday in ~~June~~ *September* before that November election;

4. For a special election held at the same time as a May general election, by 7:00 p.m. on the first Tuesday in March; or

5. For a special election held at a time other than a general election, (i) at least thirty days before the election or (ii) within five days of any writ of election or order calling a special election to be held less than thirty-five days after the issuance of the writ or order.

§ 24.2-510. Deadlines for parties to nominate by methods other than primary.

For any office, nominations by political parties by methods other than a primary shall be made and completed in the manner prescribed by law according to the following schedule:

1. For a general election in November, by 7:00 p.m. on the second Tuesday in ~~June~~ *September*;

2. For a general election in May, by 7:00 p.m. on the first Tuesday in March;

3. For a special election held at the same time as a November general election, either (i) at least seventy-four days before the election or (ii) if the special election is held at the second November election after the vacancy occurred, by 7:00 p.m. on the second Tuesday in ~~June~~ *September* before that November election;

4. For a special election held at the same time as a May general election, by 7:00 p.m. on the first Tuesday in March; or

5. For a special election held at a time other than a general election, (i) at least thirty days before the election or (ii) within five days of any writ of election or order calling a special election to be held less than thirty-five days after the issuance of the writ or order.

In the case of all general elections a party shall nominate its candidate for any office by a nonprimary method only within the thirty-two days immediately preceding the primary date established for nominating candidates for the office in question. This limitation shall have no effect, however, on nominations for special elections or pursuant to § 24.2-539.

INTRODUCED

SB728

59 § 24.2-515. Primaries generally; presidential year primaries.

60 Primaries for the nomination of candidates for offices to be voted on at the general election date in
61 November shall be held on the second Tuesday in ~~June~~ *September* next preceding such election, except
62 that beginning with the year 2004 and in presidential election years thereafter, primaries to choose
63 among presidential candidates may be held as provided below in Article 7 (§ 24.2-544 et seq.) of this
64 chapter on the second Tuesday in February. Primaries for the nomination of candidates for offices to be
65 voted on at the general election date in May shall be held on the first Tuesday in March next preceding
66 such election, except that beginning with the year 2004 and in presidential election years thereafter,
67 primaries for the nomination of candidates for offices to be voted on at the general election date in May
68 shall be held as described below in Article 7 of this chapter on the second Tuesday in February.

69 § 24.2-515.1. Schedule for primaries in the year 2001 and each tenth year thereafter.

70 Primaries for the nomination of candidates for the offices listed in Section 4 of Article VII of the
71 Constitution of Virginia to be voted on at the general election in November 2001 and each tenth year
72 thereafter shall be held on the second Tuesday in ~~June~~ *September* next preceding such election
73 notwithstanding any special primary schedule enacted for any other office.