

# VIRGINIA ACTS OF ASSEMBLY -- 2011 SESSION

## CHAPTER 3

*An Act to provide for a revised primary and filing schedule for the November 2011 election and to schedule the 2011 primary for August 23, 2011.*

[H 1507]

Approved February 17, 2011

**Be it enacted by the General Assembly of Virginia:**

**1.** *§ 1. The provisions of this act shall apply to the November 8, 2011, elections for members of the Senate of Virginia and the House of Delegates of Virginia, for members of county and municipal governing bodies and school boards, for directors of soil and water conservation districts, and, notwithstanding the provisions of § 24.2-515.1 of the Code of Virginia, for elective officers subject to the provisions of § 24.2-217 of the Code of Virginia.*

*§ 2. The regular primary date for the selection of candidates for such elections shall be Tuesday, August 23, 2011, and not Tuesday, June 14, 2011. There shall be no primary on June 14, 2011, and the primary date for any special election on November 8, 2011, shall be August 23, 2011.*

*§ 3. For purposes of § 24.2-516 of the Code of Virginia, the State Board of Elections shall make inquiry of each party chairman by Friday, May 27, 2011, as to whether a direct primary has been adopted, and the Board must receive notification as provided in § 24.2-516 not later than Friday, June 3, 2011.*

*§ 4. The declaration of candidacy, petitions, and receipts indicating the payment of filing fees for a primary election required by § 24.2-522 of the Code of Virginia shall be filed not earlier than noon on Tuesday, June 7, 2011, and not later than 5:00 p.m. on Wednesday, June 15, 2011.*

*§ 5. The statements required to be filed by primary candidates under § 24.2-503 of the Code of Virginia shall be filed not later than 5:00 p.m. on Wednesday, June 15, 2011. The extension of any deadline requested under § 24.2-503 shall be no longer than 48 hours.*

*§ 6. The chairman or chairmen required to furnish names of candidates for a primary under § 24.2-527 of the Code of Virginia shall do so no later than Friday, June 17, 2011.*

*§ 7. Ballots for the August 23, 2011, primary shall be sent to qualified absentee voters who are eligible for an absentee ballot under subdivision 2 of § 24.2-700 and made available to all other qualified absentee voters on or before Friday, July 8, 2011, pursuant to the provisions of § 24.2-612 of the Code of Virginia. Absentee ballots shall be delivered to the registrar and secretary of the electoral board pursuant to § 24.2-612 on or before Thursday, July 7, 2011. The deadlines in this section may be extended at the discretion of the Secretary of the State Board of Elections.*

*§ 8. The costs of any primary shall be paid for by the treasurer of the county or city in which such election is held.*

*§ 9. With respect to independent candidates and party nominees selected by any means other than a primary, the provisions of Title 24.2 of the Code of Virginia shall be applicable except that (i) Tuesday, August 23, 2011, shall be deemed to be the regular primary date in lieu of Tuesday, June 14, 2011; (ii) a party selecting a nominee by any method other than the direct primary shall do so only within the period beginning Friday, July 1, 2011, and ending at 7:00 p.m. on Tuesday, August 23, 2011; (iii) the statements required to be filed under § 24.2-503 of the Code of Virginia shall be filed not later than 7:00 p.m. on Tuesday, August 23, 2011; (iv) the certification of party candidates required pursuant to § 24.2-511 of the Code of Virginia shall be completed not later than Friday, August 26, 2011; and (v) for any special election held November 8, 2011, the notice of candidacy shall be filed and party nominations shall be completed on or before 7:00 p.m. on Tuesday, August 23, 2011.*

*§ 10. Ballots for the November 2011 election shall be sent to qualified absentee voters who are eligible for an absentee ballot under subdivision 2 of § 24.2-700 and made available to all other qualified absentee voters on or before Friday, September 23, 2011, pursuant to the provisions of § 24.2-612 of the Code of Virginia. Absentee ballots shall be delivered to the registrar and secretary of the electoral board pursuant to § 24.2-612 on or before Thursday, September 22, 2011.*

*§ 11. The State Board of Elections shall promulgate instructions to implement the provisions of this section.*

**2.** *With the exception of the primary date of August 23, 2011, and general election date of November 8, 2011, the State Board of Elections shall be authorized to postpone dates and modify deadlines set forth in this act if the necessary 2011 reapportionment or redistricting, including preclearance from the appropriate United States authority under § 5 of the United States Voting Rights Act of 1965, will not be completed in time for the dates and deadlines set forth in this act to be complied with.*

**3.** *That an emergency exists and this act is in force from its passage.*

**4. That the provisions of this act shall expire on January 1, 2012.**