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HOUSE BILL NO. 1507

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the House Committee on Privileges and Elections
on January 14, 2011)

(Patron Prior to Substitute—Delegate Cole)

A BILL to provide for a revised primary and filing schedule for the November 2011 election and to schedule the 2011 primary for August 23, 2011.

Be it enacted by the General Assembly of Virginia:

§ 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, 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, June 24, 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, July 1, 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, July 5, 2011, and not later than 5:00 p.m. on Friday, July 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 Friday, July 15, 2011.

§ 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 Tuesday, July 19, 2011.

§ 7. Ballots for the August 23, 2011, primary shall be printed on or before Wednesday, July 27, 2011, or as soon thereafter as practicable, notwithstanding 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 Wednesday, July 27, 2011, or as soon thereafter as practicable.

§ 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 22, 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 printed on or before Friday, September 23, 2011, or as soon thereafter as practicable, notwithstanding 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 Friday, September 23, 2011, or as soon thereafter as practicable.

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