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HOUSE BILL NO. 1425

Offered January 14, 2015

Prefiled December 23, 2014

A BILL to amend and reenact § 24.2-673 of the Code of Virginia, relating to run-off elections.

Patrons—Marshall, D.W.; Senator: Ruff

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:**1. That § 24.2-673 of the Code of Virginia is amended and reenacted as follows:****§ 24.2-673. Number of votes required for election; run-off election required.**

A. No candidate for the United States Senate, the House of Representatives, the General Assembly, or statewide office shall be deemed to have been elected at a general or special election to that office unless such candidate receives more than 50 percent of the total votes cast for the office. Except in the case of a recount pursuant to the provisions of Chapter 8 (§ 24.2-800 et seq.) of this title, in all other elections for the choice of any officer, including the general election of electors for the President and Vice-President of the United States, unless it is otherwise expressly provided, the person having the highest number of votes for any an office shall be deemed to have been elected to such office and shall receive the certificate of election.

B. If no candidate for the United States Senate, the House of Representatives, the General Assembly, or statewide office receives more than 50 percent of the total votes cast at the general or special election for that office, a run-off election shall be held between the candidates receiving the highest and next-highest number of votes for that office. However, if the number of write-in votes cast for an office and the number of votes cast for the candidate receiving the highest number of votes for that office together equal more than 50 percent of the total votes cast for that office, then no run-off election shall be held and the candidate receiving the highest number of votes for the office shall be deemed to have been elected to such office and shall receive the certificate of election.

C. A run-off election required by the provisions of subsection B that follows a general election shall be held on the first Tuesday in January. A run-off election required by the provisions of subsection B that follows a special election shall be held on the fourth Tuesday following the certification by the State Board of the results of the special election. However, nothing in this section shall be construed to preclude the right of the candidate apparently defeated to file a petition for a recount of the election pursuant to the provisions of Chapter 8 (§ 24.2-800 et seq.). If a candidate files such a petition and a recount is conducted, the run-off election required by the provisions of subsection B that follows a general or special election shall be held on the fourth Tuesday following the certification by the court of the results of the recount. Any run-off election held in accordance with the provisions of this subsection that falls on a legal holiday named in § 2.2-3300 shall instead be held on the next following Tuesday that is not a legal holiday.

D. A run-off election required by the provisions of this section shall be conducted in accordance with the provisions of this chapter.

INTRODUCED

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