

VIRGINIA ACTS OF ASSEMBLY -- 2017 SESSION

CHAPTER 346

An Act to amend and reenact § 24.2-612.1 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 24.2-612.2, relating to candidate withdrawal; notice of withdrawal; information to voters.

[H 1933]

Approved March 13, 2017

Be it enacted by the General Assembly of Virginia:

1. That § 24.2-612.1 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 24.2-612.2 as follows:

§ 24.2-612.1. Ballots; death, withdrawal, or disqualification of candidates.

In the case of the death, withdrawal, or disqualification of any candidate, other than a party nominee, who has qualified to have his name printed on the ballot for any election other than a presidential or primary election, the ~~State Board~~ *Department* of Elections shall take into account the time available before the election and the status of the ballots for the election and shall have authority to direct the electoral boards on how to proceed to print the ballot without the candidate's name, correct the ballot to delete the candidate's name, or provide notice to voters of the death, withdrawal, or disqualification of the candidate. *If ballots are not corrected to delete the candidate's name, the general registrar shall provide a list of candidates who have withdrawn to be posted in each polling place and to be available to the public. If election information is posted on the official website for the county or city, notice of the candidate's withdrawal shall also be posted on that website.*

The ~~State Board~~ *Department* shall have like authority in the case of the death, withdrawal, or disqualification of a party nominee subject to the provisions of Article 5 (§ 24.2-539 et seq.) of Chapter 5 of this title.

§ 24.2-612.2. Notice of withdrawal of candidates.

A candidate who has qualified to have his name printed on the ballot for an election shall not be deemed to have withdrawn from such election until he has submitted a signed written notice declaring his intent to withdraw from such election and that notice has been received by the general registrar. Such notice shall be provided to the general registrar of the county or city in which he resides. In the case of an election held in more than one county or city, the recipient general registrar shall notify the appropriate general registrars of the candidate's withdrawal.

The Department shall include in its candidate guidance documents the requirements and process for candidate withdrawal.