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HOUSE BILL NO. 684

Offered January 19, 1996

A *BILL to amend and reenact §§ 24.2-530 and 24.2-535 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 24.2-418.1, 24.2-423.1, and 24.2-516.1, relating to voter registration by political party; primary elections; penalties.*

Patrons—Marshall, Katzen, O'Brien and Way

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:

1. That §§ 24.2-530 and 24.2-535 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding sections numbered 24.2-418.1, 24.2-423.1, and 24.2-516.1 as follows:

§ 24.2-418.1. *Application for registration; political party affiliation; independent designation.*

A. *Each application to register shall provide a space for the applicant to state his political party affiliation or independent status. If the applicant does not state his political party affiliation or indicate his independent status, he shall be designated as independent in the registration records.*

B. *Each voter registered prior to the effective date of this section shall be designated as independent in the registration records unless and until the voter changes his designation to a political party affiliation pursuant to § 24.2-423.1.*

§ 24.2-423.1. *Change of political party affiliation or independent designation.*

A. *Any registered voter may change his political party affiliation or independent status on his registration record by notice in writing, signed by him, to the general registrar of the jurisdiction where he is registered. No voter shall change his political party affiliation or independent status during the thirteen months following the date of a political party primary in which the voter participated. However, a voter with independent status, who participates in a political party primary, may change to the political party affiliation of the party which conducted that primary.*

B. *On receipt of the notice prescribed in subsection A, the general registrar shall (i) enter the new political party affiliation or independent status on the registration record and (ii) issue the voter a new voter registration card indicating the changed affiliation or status.*

C. *No change in a voter's political party affiliation or independent status shall be entered in the registration records at any time the registration records are closed pursuant to § 24.2-416.*

D. *Written statements of a change in political party affiliation or independent status shall be subject to election fraud penalties as provided in § 24.2-1016.*

§ 24.2-516.1. *Party to notify State Board of persons qualified to vote in primary.*

A. *The State Board inquiry pursuant to § 24.2-516 shall advise the party chairman that the written notification by the chairman of the adoption of a direct primary shall specify whether the primary shall be open (i) only to qualified voters who have registered as being affiliated with the political party or (ii) to qualified voters who have registered as being affiliated with the political party and as independents.*

B. *The primary shall be open to qualified voters who have registered as being affiliated with the political party and as independents, unless the written notification by the chairman specifies that the primary shall be open only to qualified voters who have registered as being affiliated with the political party.*

§ 24.2-530. *Who may vote in primary.*

All persons qualified to vote, pursuant to §§ 24.2-400 through 24.2-403 and 24.2-516.1, may vote at the primary. *The primary shall be open, as specified pursuant to § 24.2-516.1, (i) only to qualified voters who have registered as being affiliated with the political party or (ii) to qualified voters who have registered as being affiliated with the political party and as independents. No person shall vote for the candidates of more than one party.*

§ 24.2-535. *Vote required to nominate.*

Any candidate for party nomination to any office who receives a plurality of the votes cast by his party at his political party primary shall be the nominee of his party for that office and his name shall be printed on the official ballots used in the election for which the primary was held.

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

INTRODUCED

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