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SENATE BILL NO. 126

SENATE BILL NO. 110
Offered January 14, 2026

Prefiled January 5, 2026

A BILL to amend and reenact § 24.2-522 of the Code of Virginia, relating to elections; primary election; when filings to be made; extension for incumbents failure to file.

Patron—Pekarsky

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:

1. That § 24.2-522 of the Code of Virginia is amended and reenacted as follows:

§ 24.2-522. When and to whom filings to be made.

A. Declarations of candidacy, petitions, and receipts indicating the payment of filing fees shall be filed not earlier than noon of the ninety-second day and not later than 5:00 p.m. of the seventy-fifth day before the primary; however, if the declaration of candidacy, petitions, and a receipt indicating the payment of any filing fees for an incumbent United States Senator, member of the United States House of Representatives, member of the Senate of Virginia or the House of Delegates, member of a local governing body, mayor, or constitutional officer are not filed by 5:00 p.m. on the seventy-fifth day before the primary election, or are filed but are subsequently withdrawn before 5:00 p.m. on the seventy-fifth day before the direct primary election, any person other than the person who was the incumbent on the seventy-fifth day shall have until 5:00 p.m. on the seventieth day before the election to file such documents for the respective elective office.

B. Except as provided in subsection C, candidates for nomination shall file their declarations, petitions, and receipts with the chairman or chairmen of the several committees of the respective parties.

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C. Any candidate for nomination for United States Senator, Governor, Lieutenant Governor, or Attorney General shall file with the State Board (i) his declaration of candidacy, (ii) the petitions for his candidacy, sealed in one or more containers to which is attached a written statement under oath by the candidate giving his name and the number of signatures on the petitions contained in the containers, and (iii) a receipt indicating the payment of his filing fee.

The State Board shall transmit the material so filed to the state chairman of the party of the candidate within 72 hours and not later than the seventy-fourth day before the primary. The sealed containers containing the petitions for a candidate may be opened only by the state chairman of the party of the candidate.

2. That the provisions of this act shall become effective on January 1, 2027.