

2026 SESSION

INTRODUCED

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1 **HOUSE BILL NO. 965**

2 Offered January 14, 2026

3 Prefiled January 13, 2026

4 A BILL to amend and reenact § 24.2-243 of the Code of Virginia and to amend the Code of Virginia by
5 adding in Chapter 2 of Title 24.2 an article numbered 2.1, consisting of sections numbered 24.2-209.1
6 and 24.2-209.2, relating to the presidential electors and the Agreement Among the States to Elect the
7 President by National Popular Vote Compact.

8 Patrons—Price, Anderson, Anthony, Carnegie, Clark, Feggans, Gardner, Guzman, Helmer, Henson, Krizek,
Maldonado, Martinez, McClure, Nivar, Rasoul, Simon, Ward and Watts; Senators: Aird, Boysko,
Favola, Locke, Salim and Williams Graves

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10 Committee Referral Pending

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12 Be it enacted by the General Assembly of Virginia:

13 1. That § 24.2-243 of the Code of Virginia is amended and reenacted and that the Code of Virginia is
14 amended by adding in Chapter 2 of Title 24.2 an article numbered 2.1, consisting of sections numbered
15 24.2-209.1 and 24.2-209.2, as follows:

16 Article 2.1.

17 *Agreement Among the States to Elect the President by National Popular Vote.*

18 § 24.2-209.1. *Agreement Among the States to Elect the President by National Popular Vote; form of*
19 *compact.*

20 The Agreement Among the States to Elect the President by National Popular Vote is enacted into law and
21 entered into with all other jurisdictions legally joining therein in the form substantially as follows:

22 *ARTICLE I. Membership.*

23 Any state of the United States and the District of Columbia may become a member of this agreement by
24 enacting this agreement.

25 *ARTICLE II. Right of the People in Member States to Vote for President and Vice President.*

26 Each member state shall conduct a statewide popular election for President and Vice President of the
27 United States.

28 *ARTICLE III. Manner of Appointing Presidential Electors in Member States.*

29 Prior to the time set by law for the meeting and voting by the presidential electors, the chief election
30 official of each member state shall determine the number of votes for each presidential slate in each state of
31 the United States and in the District of Columbia in which votes have been cast in a statewide popular
32 election and shall add such votes together to produce a "national popular vote total" for each presidential
33 slate.

34 The chief election official of each member state shall designate the presidential slate with the largest
35 national popular vote total as the "national popular vote winner."

36 The presidential elector certifying official of each member state shall certify the appointment in that
37 official's own state of the elector slate nominated in that state in association with the national popular vote
38 winner.

39 At least six days before the day fixed by law for the meeting and voting by the presidential electors, each
40 member state shall make a final determination of the number of popular votes cast in the state for each
41 presidential slate and shall communicate an official statement of such determination within 24 hours to the
42 chief election official of each other member state.

43 The chief election official of each member state shall treat as conclusive an official statement containing
44 the number of popular votes in a state for each presidential slate made by the day established by federal law
45 for making a state's final determination conclusive as to the counting of electoral votes by Congress.

46 In event of a tie for the national popular vote winner, the presidential elector certifying official of each
47 member state shall certify the appointment of the elector slate nominated in association with the presidential
48 slate receiving the largest number of popular votes within that official's own state.

49 If, for any reason, the number of presidential electors nominated in a member state in association with the
50 national popular vote winner is less than or greater than that state's number of electoral votes, the
51 presidential candidate on the presidential slate that has been designated as the national popular vote winner
52 shall have the power to nominate the presidential electors for that state, and that state's presidential elector
53 certifying official shall certify the appointment of such nominees.

54 The chief election official of each member state shall immediately release to the public all vote counts or
55 statements of votes as they are determined or obtained.

56 This article shall govern the appointment of presidential electors in each member state in any year in

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57 which this agreement is, on July 20, in effect in states cumulatively possessing a majority of the electoral
58 votes.

ARTICLE IV. Other Provisions.

60 This agreement shall take effect when states cumulatively possessing a majority of the electoral votes have
61 enacted this agreement in substantially the same form and the enactments by such states have taken effect in
62 each state.

63 Any member state may withdraw from this agreement, except that a withdrawal occurring six months or
64 less before the end of a President's term shall not become effective until a President or Vice President shall
65 have been qualified to serve the next term.

66 The chief executive of each member state shall promptly notify the chief executive of all other states of
67 when this agreement has been enacted and has taken effect in that official's state, when the state has
68 withdrawn from this agreement, and when this agreement takes effect generally.

69 This agreement shall terminate if the electoral college is abolished.

70 If any provision of this agreement is held invalid, the remaining provisions shall not be affected.

ARTICLE V. Definitions.

72 For purposes of this agreement:

73 "Chief election official" shall mean the state official or body that is authorized to certify the total number
74 of popular votes for each presidential slate.

75 "Chief executive" shall mean the governor of a state of the United States or the mayor of the District of
76 Columbia.

77 "Elector slate" shall mean a slate of candidates who have been nominated in a state for the position of
78 presidential elector in association with a presidential slate.

79 "Presidential elector" shall mean an elector for President and Vice President of the United States.

80 "Presidential elector certifying official" shall mean the state official or body that is authorized to certify
81 the appointment of the state's presidential electors.

82 "Presidential slate" shall mean a slate of two persons, the first of whom has been nominated as a
83 candidate for President of the United States and the second of whom has been nominated as a candidate for
84 Vice President of the United States, or any legal successors to such persons, regardless of whether both
85 names appear on the ballot presented to the voter in a particular state.

86 "State" shall mean a state of the United States and the District of Columbia.

87 "Statewide popular election" shall mean a general election in which votes are cast for presidential slates
88 by individual voters and counted on a statewide basis.

§ 24.2-209.2. Appointment of presidential electors pursuant to Agreement.

90 When the Agreement Among the States to Elect the President by National Popular Vote (Agreement)
91 governs the appointment of presidential electors for a presidential election as provided in the ninth clause of
92 Article III of that Agreement, as provided for in § 24.2-209.1, the provisions of that Agreement shall
93 supersede any conflicting provisions of the laws of the Commonwealth.

§ 24.2-243. Electors for President and Vice President.

95 The qualified voters of the Commonwealth shall choose A. Balloting for the Commonwealth's electors for
96 President and Vice President of the United States shall occur at the general election in November 2024 2028
97 and every fourth year thereafter. Each voter shall vote for a The number of electors that equals to be
98 appointed shall equal the whole number of senators and representatives to which the Commonwealth at the
99 time is entitled in the Congress of the United States.

100 B. The manner of appointing such electors shall be as follows:

101 1. When the Agreement Among the States to Elect the President by National Popular Vote does not govern
102 the appointment of presidential electors, a vote cast for a presidential-vice-presidential slate shall be deemed
103 to be a vote for each of the elector candidates nominated by the political party or group of qualified voters
104 that nominated that presidential-vice-presidential slate. The Commonwealth's electors for President and Vice
105 President of the United States shall be the elector candidates who receive the highest number of votes in the
106 Commonwealth in the balloting conducted pursuant to subsection A

107 2. When the Agreement Among the States to Elect the President by National Popular Vote governs the
108 appointment of the Commonwealth's presidential electors, the Commonwealth's electors shall be the elector
109 candidates determined in accordance with the procedures of § 24.2-209.1 using the number of votes received
110 in the Commonwealth in the balloting conducted pursuant to subsection A.