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HOUSE BILL NO. 1056

Offered January 14, 2026

Prefiled January 14, 2026

A BILL to amend and reenact §§ 24.2-530, 24.2-535, and 24.2-703.1 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 24.2-418.01, 24.2-423.1, and 24.2-516.1, relating to voter registration by political party affiliation; partially closed primary elections.

Patron—Phillips

Committee Referral Pending

Be it enacted by the General Assembly of Virginia:

1. That §§ 24.2-530, 24.2-535, and 24.2-703.1 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding sections numbered 24.2-418.01, 24.2-423.1, and 24.2-516.1 as follows:

§ 24.2-418.01. Application for registration; political party affiliation; independent status.

A. On and after January 1, 2027, 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 a political party affiliation, he shall be designated as independent in the registration records.

B. Each voter registered prior to January 1, 2027, shall be designated as independent in the registration records unless the voter changes his designation to a political party affiliation pursuant to § 24.2-423.1. On and after January 1, 2027, the State Board shall provide the means for each registered voter to provide his political party affiliation or independent status for the voter registration system.

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

A. On and after January 1, 2027, any registered voter may change his political party affiliation or independent status on his registration record by providing notice to the general registrar of the jurisdiction where he is registered. Such notice may be made in person, in writing, or on a form approved by the State Board, which may be electronic. The notice in writing may be provided by mail or by facsimile and shall be signed by the voter unless he is physically unable to sign, in which case his own mark acknowledged by a witness shall be sufficient signature. Notice may be provided by electronic means as authorized by the State Board and signed by the voter in a manner consistent with the provisions of § 24.2-416.7 and the Uniform Electronic Transactions Act (§ 59.1-479 et seq.). The general registrar shall enter the voter's new political party affiliation or independent status on the registration records and issue the voter a new voter registration card confirming the changed affiliation or status.

B. 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.

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

By January 31 of each year, the state party chairman of each political party shall file written notice with the State Board applicable to the primaries to be conducted by the party from April 1 of that year through March 31 of the following year. The notice shall state the rules adopted by the duly constituted authorities of the state political party for participation in the party's primaries, including whether the primary shall be (i) open only to qualified voters who are registered as being affiliated with the political party, (ii) open to qualified voters who are registered as being affiliated with the political party and to qualified voters who are registered as independents, (iii) open to all qualified voters, (iv) closed to qualified voters who have participated in another party's primary within a stated period of time, or (v) limited by such other rules for participation that the party determines to adopt and that are permitted by law. The state party chairman's notice shall apply to all primaries conducted by the party, including statewide and other election district primaries.

§ 24.2-530. Who may vote in primary.

All persons who are 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 conducted in accordance with the rules adopted by the political party for participation in the party's primaries and communicated by the party's state chairman as required by § 24.2-516.1. No person shall vote for the candidates of more than one party on any one primary election date.

§ 24.2-535. Vote required to nominate.

Any candidate for party nomination to any office who receives a plurality of the votes cast ~~by~~ at his political party primary election 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.

§ 24.2-703.1. Permanent absentee voter list.

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59 A. Any registered voter shall be eligible to file a special application to receive absentee ballots for all
60 elections in which he is eligible to vote. Such application shall be on a form approved by the State Board. The
61 absentee ballots sent to a voter on the permanent absentee voter list shall be sent to the address in the voter's
62 registration record, except as provided in subdivision ~~C~~ D 1.

63 B. In accordance with procedures established by the State Board, the general registrar shall retain the
64 application, enroll the applicant on a permanent absentee voter list, and process the applicant's request for an
65 absentee ballot for each succeeding election. ~~The applicant shall specify by party designation the primary~~
66 ~~ballots he is requesting.~~

67 C. *A voter on the permanent absentee voter list who is registered as affiliated with a political party*
68 *pursuant to § 24.2-418.01 shall be sent the ballot for such political party's primary elections, unless the voter*
69 *requests otherwise as provided in subdivision D 2.*

70 *A voter on the permanent absentee voter list who is registered as independent pursuant to § 24.2-418.01*
71 *shall be sent a ballot for a political party's primary election only if (i) the rules adopted by the political party*
72 *for such primary pursuant to § 24.2-516.1 permit participation by voters with independent status and (ii) he*
73 *submits his request for such party's primary ballot as provided in subdivision D 3 no later than 5:00 p.m. on*
74 *the eleventh day prior to the primary election.*

75 D. The State Board shall prescribe the process by which a voter on the permanent absentee voter list may:
76 1. Request that his absentee ballot for (i) a single election or (ii) a primary election and the following
77 general election be sent to an address other than the address on his voter registration record.

78 2. Request a primary ballot for a political party other than the one ~~he specified on his application for~~
79 ~~permanent absentee voter status with which he is registered as affiliated pursuant to § 24.2-418.01 for a~~
80 ~~single primary election when he is qualified to vote in such party's primary election as a result of the rules~~
81 ~~adopted for such primary pursuant to § 24.2-516.1.~~

82 3. ~~Change his political party selection for all succeeding primary elections~~ *Request a primary ballot for a*
83 *political party for a single primary election when he is registered as independent pursuant to § 24.2-418.01*
84 *and the rules adopted by the political party pursuant to § 24.2-516.1 for such primary permit participation by*
85 *voters with independent status.*

86 ~~D.~~ E. A voter shall be removed from the permanent absentee voter list if (i) the voter requests in writing to
87 be removed from the list, (ii) the voter's registration is canceled pursuant to § 24.2-427, (iii) the voter's
88 registration is placed on inactive status pursuant to § 24.2-428 or 24.2-428.1, or (iv) the voter moves to a
89 different address not in the same county or city of his registration.

90 **2. That the provisions of this act shall be effective in due course but shall be applicable only to**
91 **primaries conducted after April 1, 2027.**