

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to amend and reenact §§ 24.2-522 and 24.2-527 of the Code of Virginia, relating to elections; primary election; when filings to be made; extension for incumbents failure to file.

[S 126]

Approved

Be it enacted by the General Assembly of Virginia:
1. That §§ 24.2-522 and 24.2-527 of the Code of Virginia are 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are not filed by 5:00 p.m. on the seventy-fifth day before the primary election, or are filed but are subsequently withdrawn before 5:00 p.m. on the seventy-fifth day before the direct primary election, any person other than the person who was the incumbent on the seventy-fifth day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.

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 notify the state chairman of the party of the candidate of receipt of the material so filed and make the material available for pickup within 72 hours and not later than the seventy-fourth day before the primary day following the candidate filing deadline. The sealed containers containing the petitions for a candidate may be opened only by the state chairman of the party of the candidate.

§ 24.2-527. Chairman or official to furnish State Board and general registrars with names of candidates and certify petition signature requirements met.

A. It shall be the duty of the chairman or chairmen of the several committees of the respective parties to furnish the name of any candidate for nomination for any office to be elected by the qualified voters of the Commonwealth at large or of a congressional district or of a General Assembly district to the State Board, and to furnish the name of any candidate for any other office to the State Board and to the general registrars charged with the duty of preparing and printing the primary ballots. In furnishing the name of any such candidate, the chairman shall certify that a review of the filed candidate petitions found the required minimum number of signatures of qualified voters for that office to have been met. The chairman shall also certify the order and date and time of filing for purposes of printing the ballots as prescribed in § 24.2-529, provided that the State Board shall determine the order and date and time of filing for candidates for United States Senator, Governor, Lieutenant Governor, and Attorney General for such purposes. Each chairman shall comply with the provisions of this section not less than 70 days before the primary. However, if the candidate filing deadline is extended pursuant to subsection A of § 24.2-522, then each chairman of any district in which a candidate deadline was extended shall comply with the provisions of this section not less than 69 days before the primary.

B. In no case shall the individual who is a candidate for an office be the person who certifies the names of candidates for a primary for that same office. In such case the party shall designate an alternate official to certify the candidates.

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