



★ VIRGINIA ★
DEPARTMENT *of* ELECTIONS

the Handbook

Chapter 16

Candidate Processing

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16. Candidate Processing

REQUIRED FORMS Candidate Qualification Forms	ADDITIONAL RESOURCES Candidate Bulletins VERIS Election Setup Step-by-Steps (access from VERIS) SBE Ballot Standards Review of Candidate Petition Page Checklist Review of Referendum Petition Page Checklist Elect-Receipt Candidate Filing Receipt
REFERENCE Virginia Legislative Information System Charter Provisions Virginia Constitution SBE Policy 2008-13 SBE Policy 2010-3	REGULATIONS IVAC20-50-20. Materials omissions from candidate petitions and petition signature qualifications. IVAC20-50-30. Appeals of petition signature insufficiency

16.1 CHAPTER ORGANIZATION

During candidate processing times, elections officials throughout the Commonwealth, at both the state and local level, interact and cooperate in concert for the shared goal of free, fair, open and secure elections. This chapter outlines the process local election officials use to verify candidate eligibility to run for office and appear on a ballot.

§16.2 describes the documents and forms candidates use to qualify for the ballot and provides a process by which local offices should process candidate filings. §16.2.3 focuses particularly on the SBE-501 Certificate of Candidate Qualification, which is a required form for every candidate. Candidates use this form to provide the preferred spelling and presentation of their name on the ballot. Upon receipt, local staff review these preferences to ensure the candidate's preference complies with SBE Ballot Standards. §16.3, in turn, explains the possibility of a ten-day extension for candidates to file either or both the Certificate of Candidate Qualification and Statement of Economic Interests forms.

§16.4 discusses how petitions can be collected, outlines requirements for circulators, and the requirement that each candidate have a Declaration of Candidacy (SBE-505/520) form on file before the petitions can be processed and verified. This section details how to process the petitions required by Va. Code §24.2-506 and 507, including petitions submitted by General Assembly candidates, independent candidates for federal and statewide office, and candidates in a political party primary. §16.5 provides an overview of how to verify the petitions, with reference to the SBE Material Omissions regulation, the petitions checklist, and the VERIS step-by-step. §16.6 explains the appeal process for candidates whose petitions were determined to be insufficient



Last, §16.7 and § 16.8 focus on two ballot-related aspects of candidacy: how a candidate can withdraw and what information a prospective write-in candidate needs to know. §16.9 briefly considers a few other candidates filing related responsibilities such as the general registrar's obligation to check petitions for local independent candidates, and the formal certification to the Department of Elections of the number of registered voters who signed petitions for independent candidates for certain offices.

Disclaimer regarding Candidates for Local Offices: Remind candidates for local, city, and town municipal office to review their local city or town charter when considering a run for public office. City or town charters may include candidate qualification requirements in addition to, and/or different from, those present in Title 24.2. Direct questions about charter provisions to the city or town attorney for guidance.¹



Note regarding Records Retention. **All candidate filings, including petitions and copies of statements of economic interest are open to public inspection and copying for reasonable costs.**² You **must redact** all portions of candidates' social security numbers and other personally identifiable information from these records before releasing them publicly.

16.2 PROCESSING CANDIDATE FORMS

Refer individuals seeking information about running for office to candidate bulletins on ELECT's website.³

16.2.1 Candidate Forms

16.2.1.1 Certificate of Candidate Qualification (SBE-501)

Each candidate to appear on a ballot must file this form to certify under oath that they are qualified to vote for and hold the office they are running for.⁴ As per Va. Code §24.2-501, "[e]very candidate for election to statewide office, the United States House of Representatives, or the General Assembly shall file the statement with the State Board. Every candidate for any other office shall file this form with the general registrar of the county or city where [s]he resides."

- ☐ Every candidate for **statewide office** (Governor, Lieutenant Governor, and Attorney General), the **US Senate**, the **US House**, or the **General Assembly** files this form with the **Department of Elections**.
- ☐ Every candidate for **any other office** files this form with their **general registrar**.

16.2.1.2 Declaration of Candidacy (SBE-505/520)

This form must be filed with the Petition of Qualified Voters.⁵ Va. Code §24.2-505 requires that the declaration be "on a form prescribed by the board, designating the office for which he is a candidate," witnessed by two qualified voters or "acknowledged before some

¹ See Virginia Charters, [Virginia Charters](#)

² See GREB Chapter 2 Local Electoral Boards, discusses FOIA.

³ See ELECT, [Candidate Bulletins](#).

⁴ See Code of Virginia, §24.2-501.

⁵ See Code of Virginia, §24.2-505.



officer authorized to take acknowledgements,” and signed by the candidate. Party candidates nominated by a non-primary method are not required to submit a declaration unless required by their party to do so.⁶

- ☐ Independent candidates for **local and constitutional offices** file this form with them. **general registrar.**
- ☐ Primary candidates for **General Assembly, local and constitutional offices** file this form with the **party chair** for the district in which they are running.
- ☐ All candidates for **President, Commonwealth-wide offices** file this form with the Department of Elections.⁷



Law Note

Acts of Assembly Chapters 166 and 230 of 2024 clarified rules regarding what is commonly referred to as Virginia’s “sore loser law”. Qualified candidates for a primary election cannot withdraw before Election Day and have their name printed on the ballot for the succeeding general election (as an independent candidate for example) for the same office. However, these individuals may still become write-in candidates.

16.2.1.3 *Petition of Qualified Voters (SBE506/521)*

The Department of Elections prepares and distributes this form in two sizes: legal and letter. The first submission of a completed petition page must be filed together with the SBE-505/520 Declaration of Candidacy.⁸ Independent candidates for general elections may not circulate petitions until after January 1 of the year in which the election is held. Candidates for special elections may not circulate petitions until after the issuance of the writ or order calling the election. Petition signature requirements are listed in the *Candidate Bulletins*.⁹ Material omissions from candidate petitions and candidate qualification are enumerated in 1VAC20-50-20 of administrative Code.¹⁰

16.2.1.4 *Statement of Economic Interests (SOEI)*

According to Va. Code §24.2-502, a “written statement of economic interests (SOEI) shall be filed by” candidates.¹¹ There are two types of candidates SOEIs; one for General Assembly candidates and one for statewide office and constitutional and local office candidates. A candidate for a statewide office or the General Assembly must file the SOEI with the Department of Elections. A candidate for a constitutional office must file with the general registrar. A candidate for member of a governing body or elected school board of any county, city, or town with a *population more than 3,500 persons* must file an SOEI with the general registrar of the county or city per Code of Virginia §24.2-502.¹²

The SOEI requirement does not apply to federal candidates or candidates for director of

⁶ See Code of Virginia, §24.2-511.

⁷ See Code of Virginia, §§24.2-505 (independent candidates) and 24.2-522 (primary candidates).

⁸ See Code of Virginia, §24.2-506.

⁹ See ELECT, [Candidate Bulletins](#). See Virginia Administrative Code [1VAC20-50-20](#) and [1VAC20-50-30](#). See Code of Virginia §§ [24.2-506](#), [24.2-521](#), and [24.2-543](#).

¹⁰ See Virginia Administrative Code [1VAC20-50-20](#).

¹¹ See Code of Virginia, §24.2-502.

¹² *Id.*



Soil and Water.¹³ It also does not apply to incumbents who are a candidate for reelection to the same office.¹⁴ Incumbents file an SOEI annually while in office on or before February 1 with the Ethics Advisory Council per Va. Code § 2.2-3115.¹⁵ Direct questions on how to complete the SOEI form for either incumbents or candidates to the Ethics Advisory Council.

16.2.1.5 *For Party Chairs Only: Party Certification (SBE-511)*

This form only applies to political parties who seek to nominate a candidate by means other than a primary. This form is completed and submitted by the party chair. Please note: A candidate nominated by a political party is not required to submit a Declaration of Candidacy or Petitions of Qualified Voters. SBE-511 Party Certification for local and constitutional offices should be filed with both the Department of Elections and the general registrar of the county in which the name of the candidate will appear on the ballot.¹⁶ For all other offices, with the Department of Elections.

16.2.2 General Processing

16.2.2.1 *At a Glance*

When the candidate files documents, review all submitted filings to confirm that all required forms are included and that each is properly signed and notarized. Advise the candidate if you see any deficiencies with the submitted documents. If a required document is missing, you may notify the candidate. Be sure that a candidate has submitted a Declaration of Candidacy before accepting petition pages, as per Va. Code §24.2-506 and 521, which require that petition pages be submitted along with the Declaration of Candidacy.¹⁷

16.2.2.2 *Provide Receipt*

Scan the filed documents and provide the filer with a receipt listing the submitted documents. If documents are mailed in, you may provide a receipt through the mail or email. You can find ELECT's candidate filing receipt ("Elect-Receipt Candidate Filing Receipt") online in Forms Warehouse. Localities can determine what order to process candidate filings. ELECT recommends processing filings chronologically in the order they were submitted.

16.2.2.3 *Document Time of Filing*

Va. Code §24.2-613 provides that all independent candidates for an office "shall appear on the ballot in an order determined by the priority of time of filing all required paperwork for the office."¹⁸

"Time of filing" for independent candidates means the date and time at which the independent candidate files the required number of petition signatures at least equal to the number required for the office to achieve ballot access.¹⁹ The date and time a candidate files enough petition signatures (valid or not) to meet the requirement is the date/time of filing for that candidate.

¹³ *Id.*

¹⁴ *Id.*

¹⁵ See Code of Virginia, §2.2-3115.

¹⁶ See Code of Virginia, §24.2-511.

¹⁷ See Code of Virginia, §24.2-506. See also §24.2-521.

¹⁸ See Code of Virginia, §24.2-613.

¹⁹ See Code of Virginia, §§24.2-506 and 24.2-613.



16.2.2.4 *Simultaneous Filing*

While such submission does not make the candidate *qualified*, once they do submit all of the required candidate qualification documents, the time of filing the petition signatures required for the office determines their order on the ballot. Further, “time of filing” for offices with no required petition signatures is when the candidate files the certificate of candidate qualification form.

In the event that “two or more candidates file simultaneously; the order of filing shall then be determined by lot by the electoral board as in the case of a tie vote for the office” as per Va. Code §24.2-613.²⁰

16.2.2.5 *Single Candidate Qualifies for Primary*

Any office for which only a single candidate has qualified will not hold a primary as per Va. Code §24.2-526, which states “[w]henver ...there is only one declaration of candidacy in a political party for the nomination of any office, the person filing the declaration shall be declared the nominee of the party for the office ... and his name shall not be printed on the ballot for the primary.”²¹

16.2.2.6 *VERIS*

Add the candidate in VERIS after receiving either the candidate’s certificate of candidate qualification or declaration and petitions. All candidates, including partial filers and late filers, must have a candidate record. The candidate’s VERIS record will allow for additional tracking of required documents. Should the candidate fail to qualify, set the candidate’s status to “Not Qualified” and record the reason in the Comments section of the VERIS record.

16.2.3 Steps to Process the SBE-501 Certificate of Candidate Qualification

Every candidate must file a certificate of candidate qualification; as per 24.2-501, it “shall be a requirement of candidacy ... that a person must file a written statement under oath, on a form prescribed by the State Board.”²² In accordance with State Board of Elections policy, a candidate’s certificate of candidate qualification “shall not be submitted before January 1st of the election year” unless a future election’s filing deadline falls in the current calendar year.²³



Policy (and Law) Note

Va. Code §§24.2-506 and 521 generally requires that candidate petitions be circulated after January 1 of the election year; Va. Code also requires candidates to file other documents to meet ballot access requirements that do not specify a date that it must be prepared or signed by. Therefore, the State Board of Elections adopted a policy to resolve this, stating that “unless Va. Code specifically provides otherwise, documents filed by a candidate to satisfy ballot access requirements shall not be submitted before January 2nd of the election year.”

16.2.3.1 *Verify the SBE-501 Certificate of Candidate Qualification*

Immediately upon receipt of a certificate of candidate qualification, staff should look

²⁰ See Code of Virginia, §[24.2-613](#).

²¹ See Code of Virginia, §[24.2-526](#).

²² See Code of Virginia, §[24.2-501](#).

²³ See [SBE Policy 2010-3](#). See Code of Virginia, §§24.2-503, 24.2-507(5) and 24.2-510(5).



over the document to verify the following:

- The SBE-501 form specific to the office type was completed.
- The form is complete, signed, and notarized.
- The candidate is registered at the address listed in question 4 on the form, and the address is in the district in which the candidate seeks election, as per the Constitution of Virginia.²⁴
- The candidate's name matches the candidate's voter record in VERIS.
- The way the candidate has requested the name to be listed on the ballot meets the requirements detailed in the SBE Ballot Standards.



VERIS

If the name matches, enter VERIS. Comprehensive instructions on entering a candidate are available in the **VERIS Election Setup Step by Step**. If the name the candidate wants on the ballot complies with the SBE Ballot Standards, enter it into the "Ballot Name" field. Enter the ballot name in upper/lower case with proper punctuation. Acknowledge receipt of all forms filed by the candidate in the "Candidate Qualifications" section of the candidate's VERIS record.

16.2.3.2 Ensure the Candidate Name Complies with SBE Standards



The SBE adopted new standards for candidate names which are available on the Ballot Standards document or the SBE-501.²⁵ Review the standards carefully to determine if the candidate's name follows SBE standards. If the candidate's chosen ballot name does not comply with SBE standards and the general registrar and the candidate cannot come to an agreement on the candidate's ballot name, direct the candidate to speak with election services at ELECT.

16.3 EXTENSIONS

Under Va. Code §24.2-503, the "State Board (SBE) may grant an extension of any deadline for filing either or both written statements [Candidate Qualification and Statement of Economic Interests forms]."²⁶ The statute requires that "all candidates who have not filed their statements" be notified of the extension. Any extension granted by the State Board of Elections is for a "fixed period of time of **ten days** from the date of the mailing of the notice of the extension." Previously, extensions were delegated to the Department by the SBE but this was rescinded in October of 2019.²⁷

16.4 PROCESSING CANDIDATE PETITIONS

16.4.1 Petitions verified by general registrars.

A general registrar must verify petitions filed by:

1. Independent (non-party) candidates for all offices in general or special elections.²⁸
2. Groups seeking to get a referendum question on the ballot.²⁹

²⁴ See Constitution of Virginia [Art. 2 §5](#).

²⁵ See ELECT, [Ballot Standards](#). See ELECT, [Candidate Forms](#).

²⁶ See Code of Virginia, [§24.2-503](#).

²⁷ See Virginia's Regulatory Townhall, State Board of Elections, [Delegations of Authority](#).

²⁸ See Code of Virginia, [§24.2-506](#).

²⁹ See Code of Virginia, [§24.2-684.1](#).



3. Non-primary General Assembly, constitutional office, or local office candidates, if asked by the party chair.³⁰

16.4.2 Must be filed with SBE-505/520 Declaration of Candidacy

Petitions that are to be verified by general registrars must be accompanied by the filing of an SBE-505/520 Declaration of Candidacy.³¹ This form must be filed “along with” the petitions as per the Code of Virginia §§24.2-506 and 507.³² This does not mean the candidate must turn all his petition forms in at one time. Upon filing, staff should verify that the candidate is a qualified, registered voter or has a voter registration application or change of address/transfer application on file, if the SBE-505/520 Declaration of Candidacy is received after the close of books.

If the Declaration of Candidacy form is witnessed rather than notarized, verify that the two witnesses are also qualified registered voters.³³ If not, the candidate must file a new declaration to file his petitions. If the office does not require petitions and the declaration is found to be deficient in any way, the replacement declaration must be filed prior to the filing deadline.

16.4.3 Timeline and Transmission Requirements



Transmit declarations and petitions filed with the registrar’s office by independent local office candidates to the local electoral board within three days of receipt for certification.²⁰ Timely processing will provide the local electoral board ample time to notify any candidate who requested to be notified in writing of deficiencies in their filings, and to certify qualified candidates to Department of Elections by the required deadline. Further, it will ensure that Department of Elections receives the candidate information necessary to do the following:

- Verify accuracy of electoral boards' candidate certifications and make sure that the information is accurately reflected in VERIS.
- Assemble data needed for candidate processing and ballot designs.
- Provide materials needed by electoral boards for ballot preparation.
- Communicate, as needed, with potential candidates.
- Post a candidate list to Department of Election’s website for access by the general public.

16.4.4 Petitions for Primaries

The political party has sole authority in designating its primary candidates. The Department of Elections strongly prefers that general registrars do not participate in primary petition verification. Checking primary petitions unnecessarily involves the Commonwealth in party processes and creates the possibility of liability in cases of discrepancies.³⁴ In instances where a method other than a primary is used to nominate a candidate, a general registrar may be asked to review any petition required by the party in its nomination process to determine if the those signing the petition are registered voters with an active status (see 16.9.6 for additional information.)³⁵

16.4.5 Petitions for General Assembly Candidates

VERIS permits the controlling locality (the locality at which the candidate resides) to process all signatures within the district. The controlling locality is responsible for making sure the petitions are processed. The controlling locality may request the assistance of the other localities in the

³⁰ See Code of Virginia, §24.2-114(17).

³¹ See ELECT, [Candidate Forms](#).

³² See Code of Virginia, §24.2-506 through 24.2-507.

³³ See Code of Virginia, §24.2-505.

³⁴ See Code of Virginia, §24.2-527.

³⁵ See Code of Virginia, §24.2-114 (17).



relevant district if necessary. If this distribution is necessary, mail General Assembly petition pages to other district localities immediately. Include with the petitions the name of the contact person for the campaign, the phone number for the contact person, the date the petitions were filed, and the number of petition pages filed so the other jurisdictions may create their own petition under the candidate's master petition.³⁶ The general registrar should use the Petitions Step by Step Instructions in VERIS to create the master petition, petition, and process petition pages.

16.4.6 Petitions for Independent Candidates for Federal and Statewide Offices

The Department of Elections will set up a master petition in VERIS and then forward the petition pages with a cover letter to the appropriate general registrar(s) for verification. The cover letter will provide information needed to create a petition for their locality under ELECT's master petition. The general registrar should use the Petitions Step by Step Instructions in VERIS. A locality must verify the petition signatures on the pages sent by the Department of Elections irrespective of the jurisdictional origins of the petition signer. When verification is complete, the general registrar must return the processed petitions to the Department of Elections.³⁷

16.5 VERIFYING CANDIDATE PETITIONS

16.5.1 Resources

16.5.1.1 SBE 1VAC 20-50-20

Please read the State Board of Elections material omission regulations, 1VAC20-50-20 (candidate petitions) and 1VAC20-60-20 (referendum petitions) before the candidate filing window opens. Download or print the Review of Candidate/Referendum Petition Pages Checklist (hereafter "Petition Checklist") from the Formswarehouse.³⁸ Provide staff members with the Petition Checklist before starting petition verification to review and answer any questions about what constitutes a material omission on a petition page and what constitutes a material omission for an individual signature. If material information, such as that listed in sections B and C of 20-50-20 and 20-60-20, is omitted from a petition page or a signature line, the respective page or signature will not be considered valid.³⁹ Note also that section D of 20-50-20 and 20-60-20 lists several omissions that are classified as "nonmaterial."⁴⁰ A petition or signature may not be invalidated on the basis of one of these omissions, as long as the registrar can "independently and reasonably verify the validity of the petition or signature."⁴¹

16.5.1.2 Petition Checklist

Use the Petition Checklist.⁴² Begin with line 1 on the first petition page. Ensure that the page and line number you are working on matches the page and line number in VERIS. The "Petitions" Step by Step Instructions in VERIS are useful to navigate VERIS while you track your work on the paper petition page as you input each signature into VERIS. As you check each name in VERIS, mark the left margin beside the line number for the signer with one or, if necessary, two of the alpha character notations, as appropriate.

³⁶ See Code of Virginia, §24.2-505(B).

³⁷ See Code of Virginia, §24.2-506(B). See also Virginia Administrative Code, [1VAC20-50-20](#).

³⁸ See ELECT, [Ballot Access Candidate Qualification](#). See Virginia Administrative Code, [1VAC20-50-20](#) (candidate petitions) and [1VAC20-60-20](#) (referendum petitions).

³⁹ See Virginia Administrative Code, [1VAC20-50-20](#) (candidate petitions) and [1VAC20-60-20](#) (referendum petitions).

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² See ELECT, [Ballot Access Candidate Qualification](#).



16.5.1.3 *Petition Signatures from Voters Whose Registration was Previously Cancelled*

Code of Virginia § 24.2-506(B) and Virginia Administrative Code 1VAC20-50-40 require that if an individual signs a petition and their registration record indicates that the petition signer has been cancelled, the reviewer (general registrar or ELECT) must keep the petition signer's name and the reason for the cancellation on a separate list retained with the petition record.⁴³

16.5.2 Troubleshooting

16.5.2.1 *Affidavit and Notarization*

If the affidavit is complete and notarized, continue to the Verification Steps. If the affidavit is incomplete or not signed by the circulator but it has been notarized, the petition page may not be processed. Proper notarization includes registration number, commission expiration date, and seal.⁴⁴ Notary mistakes may be corrected if time permits. At the general registrar's discretion, the incorrectly notarized forms may be returned to the candidate. Please report notaries who fail to properly execute their duties to the Secretary of the Commonwealth.

Any corrected petitions must be re-filed before the appropriate candidate filing deadline. A receipt itemizing the number of pages being returned to the candidate/campaign should be kept in the candidate's file.

16.5.2.2 *Circulator Eligibility*

A circulator can be any person legally residing in the United States who is not a minor nor a felon whose rights have not been restored.⁴⁵ A circulator who signs the affidavit claiming to be a legal resident of the United States, a non-minor and a non-felon will be taken at his word subject to a false statement penalty.⁴⁶ Petition pages with eligible circulators can be processed. Set aside those pages with ineligible circulators. Once the circulator is determined to be eligible, check the rest of the names on that page.

The petition form requires an additional attestation to be signed by nonresident circulators. Any circulator that is not a resident of Virginia is required to sign a statement consenting to jurisdiction of the courts of Virginia in "resolving any disputes concerning the circulation of petitions...."⁴⁷



Law Note

The United States 4th Circuit Court overruled Virginia's requirement that petitions circulators must live in the Commonwealth. Virginia statute imposes an additional requirement that circulators hold Virginia residency. This cannot be enforced under the U.S. 4th Circuit Court's ruling in *Libertarian Party v. Judd*. The court's ruling obviates the statutory requirement that a circulator be a legal resident of the Commonwealth.

⁴³ See Code of Virginia, §24.2-506(B). See also Virginia Administrative Code, [1VAC20-50-40](#).

⁴⁴ See Virginia Administrative Code [1VAC20-50-20](#) (candidate petitions) and [1VAC20-60-20](#) (referendum petitions).

⁴⁵ See Code of Virginia §24.2-506. See Virginia Administrative Code [1VAC20-50-20](#) (candidate petitions) and [1VAC20-60-20](#) (referendum petitions).

⁴⁶ See Code of Virginia, §24.2-1016.

⁴⁷ See Code of Virginia, §24.2-506.



16.5.3 Number of Signatures

VERIS will permit a local user to shift the status of a local master petition to “Certified” only after the minimum number of signatures has been added to the master petition. The local VERIS user must shift the status of a local candidate’s master petition to “Certified” before being allowed to shift the status of the local candidate’s record to “Qualified.” If the registrar finds that he made an error and needs to remove one or more accepted signatures, the registrar must go back into VERIS and return the local master petition to “In Process.” This action should also allow a return of the candidate’s record to “In Process.” Once the error is addressed, the local master petition must be returned to “Certified” or “Rejected” and the candidate’s record returned to “Qualified” or “Disqualified” as applicable to the outcome of the review.

16.5.3.1 *Measure the Number of Registered Voters to Determine Signature Requirements*

Use the number of registered voters as of January 1st to determine all signature requirements that are based on the number of registered voters in any county, city, town, district, or ward.⁴⁸ In a redistricting year, the signature requirement is based on the number of registered voters in any county, city, town, district, or ward at the time the legislation or ordinance is adopted.

16.5.3.2 *Signature Requirements for Candidate Petitions*

The minimum number of signatures of qualified voters required for candidate petitions shall be as follows:

1. Candidates seeking the nomination of a national political party for the office of the President of the United States, 5,000 signatures, including at least 200 qualified voters from each congressional district in the Commonwealth, who attest that they intend to participate in the same political parties primary for president.⁴⁹
2. For a candidate for the United States Senate, Governor, Lieutenant Governor, or Attorney General, 10,000 signatures, including the signatures of at least 400 qualified voters from each congressional district in the Commonwealth.⁵⁰
3. For a candidate for the United States House of Representatives, 1,000 signatures.⁵¹
4. For a candidate for the Senate of Virginia, 250 signatures.⁵²
5. For a candidate for the House of Delegates or for a constitutional office, 125 signatures.⁵³
6. For a candidate for membership on the governing body or elected school board of any county or city, 125 signatures; or if from an election district not at large containing 1,000 or fewer registered voters, 50 signatures;⁵⁴

⁴⁸ See Code of Virginia, §§[24.2-506](#), [24.2-521](#).

⁴⁹ See Code of Virginia, [§24.2-545](#)

⁵⁰ See Code of Virginia, [§24.2-521\(B\)](#).

⁵¹ *Id.*

⁵² *Id.*

⁵³ *Id.*

⁵⁴ *Id.*



7. For a candidate for membership on the governing body or elected school board of any town that has more than 3,500 registered voters, 125 signatures; or if from a ward or other district not at large, 25 signatures.⁵⁵
8. For a candidate for membership on the governing body or elected school board of any town that has at least 1,500 but not more than 3,500 registered voters, 50 signatures; or if from a ward or other district not at large, 25 signatures.⁵⁶
9. For a candidate for membership on the governing body or elected school board of any town that has fewer than 1,500 registered voters, no petition shall be required.⁵⁷
10. For a candidate for director of a soil and water conservation district created pursuant to Article 3 (§ 10.1-506 et seq.) of Chapter 5 of Title 10.1, 25 signatures; and,⁵⁸
11. For any other candidate, 50 signatures.⁵⁹

16.6 APPEALS

A non-party candidate has the right to appeal a determination by the electoral board that the candidate's petitions do not contain the minimum number of signatures of qualified voters for the office sought.⁶⁰ Appeals are conducted by the determining body in accordance with regulations set forth by the State Board of Elections as per Va. Admin Code 1VAC20-50-30.⁶¹

Scope of Appeal. As per Va. Code §24.2-506, consideration on appeal is "limited to whether or not the signatures on the petitions that were filed were reasonably rejected according to the requirements of [Title 24.2 of Va. Code and regulations for petitions set forth by the State Board of Elections]." ⁶²

Where and How to File. The appeal must be made in writing, and delivered by mail, email, or fax. The appeal must be notarized and received by the appropriate deadline as per 1VAC20-50-30. A candidate for city, county, or town office files her appeal with the local electoral board. A candidate for any other office files with the Department of Elections.⁶³

When to File. A candidate for an office other than President of the United States must file her appeal within five (5) calendar days of the issuance of the notice of disqualification. A candidate for the office of President of the United States must file within seven (7) calendar days of the issuance of the notice of disqualification.⁶⁴

Finality. The outcome of the appeal is final and not subject to further challenge.⁶⁵

Scheduling. Scheduling will be critical in ensuring that the appeal ends promptly. An appeal may not

⁵⁵ *Id.*

⁵⁶ *Id.*

⁵⁷ *Id.*

⁵⁸ *Id.*

⁵⁹ *Id.*

⁶⁰ See Code of Virginia, [§24.2-506](#)

⁶¹ See Virginia Administrative Code, [1VAC20-50-30](#).

⁶² See Code of Virginia, [§24.2-506](#).

⁶³ See Code of Virginia, [§24.2-506](#). See Virginia Administrative Code, [1VAC20-50-30](#).

⁶⁴ See Virginia Administrative Code [1VAC20-50-30](#).

⁶⁵ See Code of Virginia, [§24.2-506](#). See Virginia Administrative Code, [1VAC20-50-30](#).



begin until a decision is rendered regarding a non-party candidate's petition signatures. According to 1VAC20-50-30, the body that received the appeal notice "shall establish the time and place where the appeal will be heard and convey this information immediately to the candidate."⁶⁶ If the candidate provided an email address, an email notification should be sent. If the candidate did not provide an email address, the notification should be sent by first-class mail.⁶⁷ Absentee ballot preparation should not be finalized until all appeals have concluded. The electoral board should consult its county/city attorney to develop a timeline for the appeal and to answer legal questions.

16.7 CANDIDATE WITHDRAWAL

16.7.1 Candidate Steps to Withdraw

Any previously qualified candidate who decides that they no longer want to be a candidate must "submit a signed written notice declaring his [her] intent to withdraw from such election" as per Va. Code §24.2-612.2.⁶⁸ Subsequent procedures for withdrawal of a primary candidate are delineated in §§24.2-536, 24.2-537, and 24.2-538; while procedures applicable to the withdrawal of a general or special election political party nominee are in §§24.2-539 and 24.2-540.⁶⁹ The Department of Elections provides ELECT-612.2 *Candidate Withdrawal Form* for candidates to complete and have notarized if they wish to withdraw.⁷⁰ This document is not a required document and the candidate may submit *any* written notice of withdrawal as long as it is notarized. The withdrawal statement must include the candidate's name, the candidate's signature, the office the candidate was seeking and the election date and must specifically state that they are withdrawing as a candidate.⁷¹ Newspaper articles or press conferences do *not* constitute an official notice of withdrawal.

A candidate must send his/her withdrawal notice to the general registrar of the county or city in which the candidate resides. The general registrar should notify ELECT of the withdrawal. For an election held in more than one county or city, the general registrar is required to also notify the other appropriate general registrars. Upon receiving a notice of withdrawal, the general registrar must post the notice on the official website for the county or city, if election information is posted on the website.⁷²

16.7.2 Adminstrating a Candidate Withdrawal

What if a general registrar receives a notice of withdrawal from a candidate certified by the Department of Elections (e.g., General Assembly)?

- **For Any Election.** Immediately fax or email the notice of withdrawal to the Elections Administration division at (804) 371-0194 or ea@elections.virginia.gov. Include a comment indicating who received the notice and when.
- **For Primaries Only.** If a candidate withdraws on or after the 44th day before but before the Tuesday immediately preceding a primary election and there is only one candidate remaining:⁷³

⁶⁶ See Virginia Administrative Code, [1VAC20-50-30](#).

⁶⁷ *Id.*

⁶⁸ See Code of Virginia [§24.2-612.2](#).

⁶⁹ See Code of Virginia, [§§24.2-536](#), through [24.2-540](#).

⁷⁰ See ELECT, [Ballot Access Candidate Qualification](#).

⁷¹ See Code of Virginia, [§24.2-612.2](#).

⁷² See Code of Virginia, [§24.2-612.1](#).

⁷³ See Code of Virginia [§24.2-538.1](#) (Effective January 1, 2025).



- Immediately fax or email the notice of withdrawal to the Elections Administration division at (804) 371-0194 or ea@elections.virginia.gov. Include a comment indicating who received the notice and when.
- Within one calendar day of receiving such notice and certification, the State Board shall declare the remaining candidate to be the nominee of such political party for the office sought.
- As soon as possible thereafter, the local electoral board shall petition the circuit court for the cancellation of the primary election.

Will the withdrawn candidates' name remain on the ballot?

- For withdrawn candidates that are not a party nominee, the Department of Elections determines, based on the time available before the election and the status of the ballots for the election, whether ballots containing the name of the withdrawn candidate must be reprinted.⁷⁴ If the Department of Elections decides that the name will remain on the ballot, it will provide to the secretary of the electoral board and the general registrar a notice explaining that the candidate's withdrawal occurred after the ballots were printed and, therefore, the name remains on the ballot.
- As per Va. Code §24.2-612.1, "if ballots are not corrected to delete the candidate's name, the general registrar shall provide a list of candidates who have withdrawn to be posted in each polling place and to be available to the public. If election information is posted on the official website for the county or city, notice of the candidate's withdrawal shall also be posted on that website."⁷⁵
- Note that if a candidate's name is on the **primary ballot** and they are not nominated then their name is not to appear on the following general election ballot.⁷⁶



What if the withdrawal notice is received before ballot preparation begins?

- Change the candidate's status to "Withdrawn" on the "Candidate Maintain" page in VERIS.

What if a candidate's name remains on the ballot because the candidate died or withdrew after the ballots were printed?

- The status field must continue to display "Qualified." This will ensure that the candidate's name appears on the election results screen to allow entry of the votes cast for the withdrawn candidate.

16.8 WRITE-IN CANDIDACY

Write-ins are permitted for any office elected in a general or special election.⁷⁷

16.8.1 Running as a Write-in

Write-ins are not required to submit any ballot access documents.

16.8.2 Voting for a Write-In

The write-in vote must be handwritten by the voter unless the voting system in use provides a means to enter the name electronically.⁷⁸ Pursuant §24.2-673(B), if a write-in candidate for a local office in a locality with 4,000 people or less achieves the highest number of votes but either declines or is not qualified to hold such office then the next candidate with the highest number of votes will be deemed

⁷⁴ See Code of Virginia [§24.2-612.1](#).

⁷⁵ See Code of Virginia [§24.2-612.1](#).

⁷⁶ See Code of Virginia [§24.2-520](#).

⁷⁷ See Code of Virginia, [§24.2-644\(C\)](#).

⁷⁸ See Code of Virginia, [§§24.2-644, 24.2-648](#).



to have been elected to such office.⁷⁹ Write-in candidates, who decline office in this instance, should fill out a Form for Write-In Refusal and this form should be kept for record retention purposes in the general registrar's office.

16.9 ADDITIONAL CANDIDATE-RELATED RESPONSIBILITIES

16.9.1 General registrar to run report to determine the offices and order of candidates.

Once the general registrar enters qualified and non-qualified candidates in VERIS, the registrar can run the Certification of Candidates Report to determine the offices and the order of candidates as they should appear on the ballot.

16.9.2 Certify to local electoral board the [declaration of candidacy](#) and [petitions](#) of all independent candidates

The general registrar must check the declaration of candidacy and petitions, if required, of all independent (non-party) candidates for offices to be certified by the local electoral board. Within three days of receipt, the general registrar must transmit these documents to the electoral board together with the certification of the registration status of the candidate, the completeness of the declaration of candidacy and either (i) that the petitions contained the required number of signatures of qualified voters for the office sought, or (ii) that the petitions did not contain a sufficient number of signatures of qualified voters.⁸⁰ When insufficient signatures are found for a candidate, include the deficient number found.

The general registrar certifies the signatures of registered voters that appear on petitions of independent (non-party) candidates for the following offices:⁸¹

- Clerk of Court, when not shared with another county or city
- Commonwealth's Attorney, when not shared with another county or city
- Sheriff, when not shared with another county or city
- Commissioner of Revenue
- Treasurer, when not shared with another county or city
- Soil and Water Conservation Director
- Chairman or Member, Board of Supervisors or County Board
- Chairman or Member, School Board
- Mayor, City or Town
- Member, City or Town Council

16.9.3 Certify petition signature filings to ELECT

The general registrar must formally acknowledge to the Department of Elections the number of registered voters in the county or city which appear on petitions for independent candidates for these offices:⁸²

- President and Vice President
- United States Senate
- United States House of Representatives
- Governor
- Lieutenant Governor

⁷⁹ See Code of Virginia, [§24.2-673\(B\)](#).

⁸⁰ See Code of Virginia, [§24.2-505](#).

⁸¹ *Id.*

⁸² *Id.*



- Attorney General
- Senate of Virginia
- House of Delegates
- Constitutional Offices shared by one or more counties and/or cities

The totals recorded by VERIS are used to certify the number of signatures for all offices. No separate certification is required.

If requested in writing by an independent candidate for the General Assembly or a shared constitutional office, the general registrar or secretary of a local electoral board should notify the candidate of any deficiencies in the declaration of candidacy and petitions that can be corrected prior to the filing deadline.⁸³ If so requested, the general registrar may advise the candidate as to the number of valid signatures identified on his petitions.

16.9.4 Local electoral board notifies candidate(s) of deficiencies

After the filing deadline, whenever a candidate for local office must be disqualified because of deficiencies in the candidate's declaration of candidacy or petitions, the local electoral board must notify the candidate of the disqualification in writing.⁸⁴

16.9.5 Local electoral board certifies candidates

Immediately after any filing deadline and the conclusion of any petition signature appeals, the general registrar and secretary of the electoral board must certify all qualified candidates to the Department of Elections using VERIS.⁸⁵

You must enter the names of any disqualified candidates along with the reason for disqualification in VERIS.

16.9.6 Review petitions filed by a *non-primary* candidate seeking party nomination

A political party chair may request that the general registrar verify the petitions filed by a non-primary candidate seeking the party's nomination.⁸⁶ If so requested, the general registrar should check these forms and return them to the political party chair as quickly as possible. Include the number of signatures of registered voters that appear on the petitions when returning the forms.

To accomplish the petition verification for local offices in VERIS, create a candidate, create a master petition, and associate your locality to the master petition. For a General Assembly candidate, contact Department of Elections so that staff can create the candidate record and the master petition.

⁸³ See Code of Virginia, [§24.2-505\(D\)](#).

⁸⁴ See Code of Virginia, [§24.2-612](#).

⁸⁵ *Id.*

⁸⁶ See Code of Virginia, [§24.2-114\(17\)](#).

