



★ VIRGINIA ★
DEPARTMENT *of* ELECTIONS

Candidate Bulletin

Senate of Virginia, 40th District - ONLY
Requirements for the
November 5, 2019 General Election

Filing re-opened due to the withdrawal of the
Democratic Party's nominee.

How candidates get on the ballot in VA

Follow these instructions to get on the ballot for Senate of Virginia, 40th District, General Election on Tuesday November 5, 2019.

Definitions and Key Icons

COMET – Electronic campaign finance filing system offered by the Department of Elections.

Incumbent – An officeholder who wants to run for reelection to the same office.

Independent – an individual who is seeking to run in a General Election without running as a Republican or Democrat (may include a recognized party or no party).

Non-primary party candidate – an individual who is seeking the nomination of a political party by a means other than a primary.

Political party – An organization that, at either of the two preceding statewide general elections, received at least 10 percent of the total vote cast for any statewide office filled in that election.

Qualified voter – A person who is entitled to vote under the Virginia Constitution and is properly registered to vote (see [full definition here](#)).

Recognized political party – An organization that meets the requirements set out in Va. Code [§ 24.2-612](#).

Va. Code – Virginia Code



- Notes where to find information in the Code of Virginia or Virginia Administrative Code.



- Indicates beginning and/or ending deadlines for filing documents.



- Indicates information on where to file documents.



- Indicates additional information that may be helpful.

Election Calendar 2019

Type of Election	Candidates: Last Day to File	Parties: Last Day to File
General		
Tuesday, November 5, 2019	Friday, September 6, 2019 5:00 p.m.	Friday, September 6, 2019 5:00 p.m.
Find in Code:	Va. Code §§ 24.2-539 , 24.2-540 , and 24.2-541	Va. Code §§ 24.2-539

What, when, and where do I file?

[This table is a summary. Find more information below.](#)

	What do I need to file?	Notes or other information	Where do I file this form?	When does filing open?	What is the deadline to file?
1	Certificate of Candidate Qualification – General Assembly §§ 24.2-501 or 24.2-503		With the Department of Elections. May be sent postmarked by deadline if sent USPS registered or certified mail.	Non-primary party and independent candidates: Wednesday, June 19, 2019	Friday, September 6, 2019 at 5:00 p.m.
2	Statement of Economic Interest (SOEI) – General Assembly §§ 24.2-502 and 24.2-503	Filing with Department of Elections does not apply to incumbents seeking same office who filed SOEI pursuant to §30-110.	With the Department of Elections. May be sent postmarked by deadline if sent USPS registered or certified mail.	Non-primary party and independent candidates: Wednesday, June 19, 2019	Friday, September 6, 2019 at 5:00 p.m.

	What do I need to file?	Notes or other information	Where do I file this form?	When does filing open?	What is the deadline to file?
3a	Declaration of Candidacy – General Assembly §§ 24.2-505 and 24.2-507.		Independent candidates: With the General Registrar of your locality. Non-primary party candidates: You do not need to file.	Independent candidates: Wednesday, June 19, 2019	Friday , September 6, 2019 at 5:00 p.m.
3b	Petitions of Qualified Voters §§ 24.2-505(D) , 24.2-506 , and 24.2-507 . Administrative Code 1 VAC 20-50-20 and 1 VAC 20-50-30	You do not need to submit all signature pages at once. However, the first time you submit petitions, they must be filed with the Declaration of Candidacy (4a).	Independent candidates: With the General Registrar of your locality. Non-primary party candidates: You do not need to file.	Independent candidates: Wednesday, June 19, 2019	Friday, September 6, 2019 at 5:00 p.m.
4	Statement of Organization for a Candidate §§ 24.2 Chapter 9.3 §§ 24.2 24.2-947.1		With the Department of Elections through COMET. And With the General Registrar of your locality.		Within 10 days of meeting specific conditions. See conditions listed below and in Va. Code § 24.2-947.1 .
5	Campaign Finance Reports §§ 24.2 Chapter 9.3		With the Department of Elections through COMET.		According to the schedule published by the Department of Elections.

Follow these steps to file your candidacy:

- Fill out and submit [the Certificate of Candidate Qualification Form – General Assembly \(SBE-501\)](#).



Find in Virginia Code §§ [24.2-501](#) or [24.2-503](#).



Non-primary party and independent candidates

File starting **June 19, 2019**.

File ending **September 6, 2019 at 5 pm**.

All candidates can mail this form by the filing deadline and we will accept it.

You must:

- Pay the postage and send to the appropriate location by registered or certified mail.
- Keep the mailing receipt in case we ask for proof that you mailed this form on or before the deadline.



Submit this form to the Department of Elections.



After you submit this form:

- The Department of Elections puts your information into the Virginia Election and Registration Information System (VERIS).
- The Department of Elections posts your contact information on the Department website.

- Fill out and submit the [Statement of Economic Interests](#).



Find in Virginia Code §§ [24.2-502](#) and [24.2-503](#).



Non-primary party and independent candidates

File starting **June 19, 2019**.

File ending **September 6, 2019 at 5 pm**.

All candidates can mail this form by the filing deadline and we will accept it.

You must:

- Pay the postage and send to the appropriate location by registered or certified

mail.

- Keep the mailing receipt in case we ask for proof that you mailed this form on or before the deadline.



Submit this form to the Department of Elections.



Filing with Department of Elections does not apply to incumbents seeking the same office who filed the Statement of Economic Interests pursuant to [Va. Code § 30.110](#), as part of their requirements in being a member of the General Assembly.

If you need help with this form, contact the [Virginia Conflict of Interest and Ethics Advisory Council](#).

- Email: ethics@dls.virginia.gov
- Phone number: 804-698-1848

- Fill out and submit a Declaration of Candidacy form ([SBE-505/520](#)).



Find in Virginia Code §§ [24.2-505](#), [24.2-507](#), [24.2-520](#), and [24.2-522](#).



Independent candidates

File starting **June 19, 2019**.

File ending **September 6, 2019 at 5 pm**.

Your General Registrar must **receive** this form by the deadline listed above. A postmark or other mailing service timestamp does not qualify.



Submit this form along with the Petitions of Qualified Voters to your local General Registrar's Office.





If you are a party candidate nominated by a method other than a primary then you do not need to submit a Declaration of Candidacy unless required by your party.

- Collect petition signatures and submit the [Petitions of Qualified Voters \(SBE-506/521\)](#).



Find in Va. Code §§ [24.2-505\(D\)](#), [24.2-506](#), [24.2-507](#), [24.2-521](#), and [24.2-522](#).

Find in Virginia Administrative Code [1 VAC 20-50-20](#) and [1 VAC 20-50-30](#).

Non-primary party candidates	Independent Candidates
	<p>You do not need to submit this form.</p> <p>Collect signatures:</p> <p>Wednesday, June 19, 2019 through Friday, September 6, 2019</p>
	<p>Submit pages:</p> <p>Wednesday, June 19, 2019 through Friday, September 6, 2019 at 5:00 pm</p>
	
	<p>File petition pages with your local General Registrar’s Office.</p>



File along with the Declaration of Candidacy.

You do not need to submit all signature pages at once. However, the first time you submit petitions, they must be filed with the Declaration of Candidacy.

At the time of filing, independent candidates may request notification of any problems that can be corrected before the filing deadline. Make this request in writing and address it to the Department of Elections.

We will try to get back to you, but cannot guarantee a timely response.

If the Department says that you do not have enough signatures then you can submit an appeal to the State Board of Elections.

Submit your appeal **within 5 days** from when the disqualification notice was issued.

You will need to prove that you have the correct number of signatures from qualified voters before the deadline.

Find more information in [1 VAC 20-50-30](#).

Office you seek	Number of petition signatures you need from qualified voters
Senate of Virginia	250 signatures

The next two requirements relate to Campaign Finance accounts and reporting.

Fill out and submit [Statement of Organization for a Candidate](#).



Find in Virginia Code Title 24.2 [Chapter 9.3](#).



Within 10 days of one of the following:

- you accept a contribution.
- you spend any funds.
- you pay a filing fee.
- you file a Certificate of Candidate Qualification.
- you appoint a campaign treasurer, campaign committee, or campaign depository.



Submit copies to:

- [The Department of Elections according to the instructions in COMET](#)
- [The General Registrar in the locality where you live \(after filing through COMET\)](#)



If you do not submit this form you may have to pay penalties.

This does not disqualify you.

Learn about the [Campaign Finance Disclosure Act](#).

Submit Campaign Finance Reports



Find in Virginia Code Title 24.2 [Chapter 9.3](#).



Submit reports according to the [schedule published by the Department of Elections](#).



Submit copies to the [Department of Elections through COMET](#).

How do I withdraw my candidacy?



Find in Va. Code § [24.2-612.2](#)



Submit your written withdrawal to your local General Registrar's Office. The General Registrar will notify other affected General Registrars and/or the Department of Elections, as appropriate.



To be withdrawn from the ballot you must submit a signed written notice declaring your intent to withdraw from the election. Use the [Department of Elections' Candidate Withdrawal Form \(ELECT-612.2\)](#)

General Disclaimer

The electronic version of this Candidate Bulletin can be found on the Department of Elections website:
<https://www.elections.virginia.gov/candidatepac-info/candidate-bulletins/index.html>

Candidates are responsible for complying with all current applicable local, state, and federal laws and regulations.

This Candidate Bulletin provides an overview of Virginia electoral requirements only. It does not purport to provide legal advice or binding statements of official policy. Rather, the Candidate Bulletin describes election law found in the Code of Virginia. Applicable laws and regulations are subject to change in content and interpretation.