Commonwealth of Virginia
DEPARTMENT OF ELECTIONS

1100 Bank Street, 1st Floor
Richmond, VA 23219-3642

10/23/14

Candidacy Requirements

For

Commonwealth's Attorney
County of Powhatan

February 10, 2015
Special Election

VOICE: 804-864-8901
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General Disclaimer

The information contained in this candidacy requirements bulletin is provided with the aim of providing an overview of Virginia electoral requirements. This document, and its contents, however, is not meant as legal advice or as a binding statement of official policy. Such laws are subject to change in content and interpretation. Candidates are responsible for verifying the status of current law and compliance with same.

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INTRODUCTION

This bulletin and all required forms are available on our web site:

http://elections.virginia.gov/index.php/candidatepac-info/becoming-a-candidate/

Should you have questions relating to your candidacy, please do not hesitate to call our toll-free line (800)-552-9745. Within the call menu, press 2 for campaign finance and ballot access assistance. You also can reach us at 804-864-8901 or via email at info@elections.virginia.gov.

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I. ADVERTISING AND CAMPAIGN MATERIALS

Virginia's Campaign Finance Disclosure Act of 2006 (CFDA) imposes certain requirements relating to advertising and identification of campaign ads and materials, including sample ballots.

Specific requirements related to political advertisement disclosure is available in Chapter 14 of ELECT's Summary of Laws and Policies Candidate Campaign Committees document. The Summary may be downloaded from ELECT's website:
http://elections.virginia.gov/Files/CandidatesAndPACs/LawsAndPolicies/CandidatesSummary.pdf

If you have questions relating to campaign finance, please call our toll-free number.

The following is provided for your additional information:

A. Sample Ballots

Any **sample** of a paper or voting equipment **ballot** must contain the words **SAMPLE BALLOT**, the appropriate authority statement required by the Campaign Finance Disclosure Act and, in addition, must:

(1) contain the words **SAMPLE BALLOT** in not less than 24 point type; and
(2) be printed on paper of a color **other than white** or **yellow (canary)**.

B. Posting

Contact your county administrator to determine whether local ordinances prohibit or restrict the posting of campaign materials.

No locality shall have the authority to prohibit the display of political campaign signs on **private property** if the signs are in compliance with zoning and right of way restrictions applicable to temporary nonpolitical signs and if the signs have been posted with the permission of the owner of the property. [§15.2-109 of the Code of Virginia] Please note that some homeowner associations may prohibit the placement of political signs in yards.

C. Violations

If you believe that either any local ordinance or any election law has been violated and you have facts concerning the violation, you should report them in writing to the Commonwealth's Attorney for the county or city in which the violation happened.

Violations of state-owned right of way restrictions should be reported to your regional Virginia Department of Transportation office.

II. QUALIFICATIONS TO BE A CANDIDATE

A candidate must be:

- Qualified to vote for and hold the office sought;
- A resident of the Commonwealth for one year immediately preceding the election;
- A resident, by the time of filing, of Powhatan County; and
- An attorney admitted to the bar of the Commonwealth.

III. DOCUMENTS REQUIRED TO BE FILED

A candidate must file certain documents in order to qualify to appear on the ballot. Each form is described below. An explanation of who is required to file each item also is provided. Each document can be downloaded from our website:

http://elections.virginia.gov/index.php/candidatepac-info/candidate-forms/

A. **Statement of Organization, Candidate CFDA-947.1 Rev 5/28/14**

Candidates for this office must comply with the provisions of Virginia's Campaign Finance Disclosure Act of 2006. The statement of organization is prepared and distributed by the Department of Elections. Any individual serving as campaign treasurer must be a qualified voter of the Commonwealth of Virginia. A candidate may serve as his own treasurer.

Virginia law requires the candidate to provide his/her full name, home mailing address, email address and daytime phone number. The treasurer, if applicable, must also provide his/her name, home mailing address, email address and daytime phone number.

A candidate must file a statement of organization and register as a candidate for campaign finance purposes within 10 days of completing any one of the commencement factors indentified in Section 2.1, Chapter 2, of ELECT's Summary of Laws and Policies Candidate Campaign Committees document (found on page 10 of the Summary).

B. **Certificate of Candidate Qualification, Local Offices SBE-501(4) Rev 7/12**

This document is prepared and distributed by the Department of Elections. **All** candidates are required to file this form.

III. DOCUMENTS REQUIRED TO BE FILED (continued)

C. Declaration of Candidacy SBE-505/520 Rev 11/09

This document is prepared and distributed by the Department of Elections. It must be filed by independent (non-party) candidates. It must be filed **at the same time** as the petitions. See Item III, D2 on the next page for number of signatures required on petitions.

Candidates for political party nomination by a method **other than a primary** file this declaration and the petitions described below only if so required by the rules of the political party. Contact your county chair to determine if they are required.

D. Petition of Qualified Voters SBE-506/521 Rev 1.2013

This document is prepared and distributed by the Department of Elections. Petitions containing at least the number of signatures required for the office sought must be filed **together with** the *Declaration of Candidacy*. See Item III, D2 on the next page for number of signatures required on petitions.

1. Petition Circulator

A candidate's petition may be circulated by any person who is a legal resident of the United States of America. Circulators may not be minors or felons whose voting rights have not been restored.

Special Note: The U.S. Supreme Court denied certification of Virginia's appeal in the 2012 Libertarian Party of Virginia v. Judd et al. case. The decision leaves in place the U. S. 4th Circuit Court's directive that prohibits the State Board of Elections from enforcing the in-state residency requirement to circulate a candidate's petition contained within §§ 24.2-506, 24.2-521 and 24.2-543.

The person circulating the petition must affirm before a notary or other person authorized to administer oaths, that s/he **personally witnessed** the affixing of each signature. Falsely taking this affidavit is a felony under Virginia law. The circulator **NEVER** can leave the petition unattended, e.g., left on the counter at a grocery store, restaurant, etc.

III. DOCUMENTS REQUIRED TO BE FILED (continued)

D. **Petition of Qualified Voters SBE-506/521 Rev 1.2013** (continued)

2. Number of Signatures Required

Petitions for Commonwealth's Attorney must contain the signatures of at least **125** qualified voters of Powhatan County.

The Department of Elections (ELECT) recommends that a candidate get at least 1½ times the number of signatures required to assure that enough signers are qualified voters. (For example: ELECT recommends candidates with a 125 signature requirement gather at least 200 signatures.)

3. Regulation on Material Omissions on Candidate Petitions and Petition Signature Qualifications

The State Board of Elections' Material Omission regulation identifies what does and does not constitute a material omission on a candidate's petition and petition signatures for the purpose of allowing or disallowing both. The entire regulation is provided below and on the following pages for your convenience.

1VAC20-50-20. Material Omissions from Candidate Petitions and Petition Signature Qualifications.

A. Pursuant to the requirements of § 24.2-506, 24.2-521, and 24.2-543 of the Code of Virginia, a petition or a petition signature should not be rendered invalid if it contains an error or omission not material to its proper processing.

B. The following omissions are always material and any petition containing such omissions shall be rendered invalid if:

1. The petition submitted is not the double-sided document, or a double-sided copy thereof, provided by the State Board of Elections;
2. The petition does not have the name, or some variation of the name, and address of the candidate on the front of the form;
3. The petition fails to identify the office sought on the front of the form;
4. The petition fails to identify the applicable election district in which the candidate is running for office;
5. The circulator has not signed the petition affidavit and provided his current address;
6. The circulator is a minor or a felon whose voting rights have not been restored;

III. DOCUMENTS REQUIRED TO BE FILED (continued)

D. **Petition of Qualified Voters SBE-506/521 Rev 1.2013** (continued)

3. **Regulation on Material Omissions on Candidate Petitions** (continued)

7. The circulator has not signed the petition he circulated in the presence of a notary;
8. The circulator has not had a notary sign the affidavit for each petition submitted;
9. A person other than the circulator signed the petition affidavit;
10. The notary has not affixed a photographically reproducible seal;
11. The notary has not included his registration number and commission expiration date; or
12. Any combination of the scenarios of this subsection exists.

C. The following omissions related to individual petition signatures are always material and any petition signature containing such omission shall be rendered invalid if:

1. The signer is not qualified to cast a ballot for the office for which the petition was circulated;
2. The signer is also the circulator of the petition;
3. The signer provided an accompanying date that is subsequent to the date upon which the notary signed the petition;
4. The signer did not sign the petition; or
5. The signer provided an address that does not match the petition signer's address in the Virginia voter registration system, unless the signer provided an address that is within the same precinct where a voter is currently registered in the Virginia voter registration system and the signer can be reasonably identified as the same registered voter.

D. The following omissions shall be treated as nonmaterial provided the general registrar can independently and reasonably verify the validity of the petition or signature:

1. An older version of the petition is used (provided that the information presented complies with current laws, regulations, and guidelines);
2. The "election information" including (i) county, city, or town in which the election will be held; (ii) election type; and (iii) date of election are omitted;

III. DOCUMENTS REQUIRED TO BE FILED (continued)

D. **Petition of Qualified Voters SBE-506/521 Rev 1.2013** (continued)

3. Regulation on Material Omissions on Candidate Petitions (continued)

3. The name of the candidate and office sought are omitted from the back of the petition;
4. The circulator has not provided the last four digits of his social security number in the affidavit;
5. The signer omits his first name, provided he provides a combination of his first or middle initials or a middle name and last name and address that matches a qualified voter within the Virginia voter registration system.
6. The signer provided a derivative of his legal name as his first or middle name (e.g., “Bob” instead of “Robert”);
7. The signer signs his name on the “Print” line and prints his name on the “Sign” line; or
8. The signer fails to provide the date but a period of time that qualifies can affirmatively be established with previous and subsequent dates provided by other signers upon the petition page.

E. A signature upon a petition shall be included in the count toward meeting the petition signature requirements only if:

1. The petition signer is a qualified voter who is maintained on the Virginia voter registration system either (i) with active status or (ii) with inactive status and qualified to voter for the office for which the petition was circulated;
2. The signer provides his name; and
3. The signer provides an address that matches the petition signer’s address in the Virginia voter registration system, or the signer provided an address that is within the same precinct where a voter is currently registered in the Virginia voter registration system and the signer can be reasonably identified as the same registered voter.

III. DOCUMENTS REQUIRED TO BE FILED (continued)

D. **Petition of Qualified Voters SBE-506/521 Rev 1.2013** (continued)

4. **Frequently Asked Questions Regarding Petitions**

The following are frequently asked questions received regarding the petition process:

1. Do I have to print the petition double-sided or may I staple two separate pages together and circulate?

   Answer: **A petition page is a double-sided document with both a front and back**. You need to print out the petition double-sided. The front and back of the petition cannot be stapled together and circulated as one petition page.

2. What happens if I need additional time to gather the required number of signatures?

   Answer: **Neither the general registrars nor ELECT have authority to accept additional petitions after the applicable candidate filing deadline**.

3. Who is responsible for ensuring my petition signers and circulators are eligible to sign and/or circulate my petition?

   Answer: **The candidate.** As a courtesy, general registrars have the option of verifying the number of qualified voters that have signed a candidate's petitions prior to the filing deadline for the purpose of alerting the candidate of deficiencies. However, it is the candidate's ultimate responsibility to ensure that he or she gathers the requisite number of signatures of qualified voters, utilize eligible circulators, and otherwise follow the procedures laid out in the law. Candidates for election or political party nomination to further their candidacy may purchase from the Department of Elections a list of registered voters for their election district. Purchasing the list may aide in petition signature proficiency.

4. Is it required for the petitions to be notarized?

   Answer: **Yes**. Sections 24.2-506 and 24.2-521 require that each petition circulator's affidavit be notarized. Circulators should verify that the notary provides their photographically reproducible notary seal\stamp, notary registration number, date notary commission expires and notary signature to each petition page.

III. DOCUMENTS REQUIRED TO BE FILED (continued)

D. **Petition of Qualified Voters SBE-506/521 Rev 1.2013** (continued)

4. **Frequently Asked Questions Regarding Petitions** (continued)

5. Must I provide my driver's license number and state of issuance when completing the petition affidavit?

   Answer: **No.** The information is not required and does not invalidate the petition if left blank.

6. I see two versions of the Petition of Qualified Voters form available on ELECT's website, which one should I use?

   Answer: **Either the letter size (8 ½" x 11") or legal size (8 ½" x 14") petition may be used**. The legal size version contains more signature lines than the letter size version. The letter size version fits more neatly on a clip board. Personal preference will prevail.

E. **Statement of Economic Interests Rev 07/01/2014**

This document is distributed by the Secretary of the Commonwealth and should be available from the clerk of the governing body. It is also available in the forms section of the Secretary of the Commonwealth's website:

https://commonwealth.virginia.gov/formslist/

If questions arise about how to complete the Statement, please contact the Secretary of the Commonwealth's Conflict of Interest Director, at (804) 786-2441.

It is required to be filed by all candidates.

IV. FILING DEADLINE AND WHERE TO FILE

For a Political Party Candidate Nominated by Method other than a Primary

Postmarks are acceptable **only** if these documents are mailed by registered or certified mail and a receipt showing date of mailing can be produced if demanded by the office with which the forms are filed.

REQUIRED FORMS	WHERE TO FILE	FILING DEADLINE
*1. Certificate of Candidate Qualification *2. Statement of Economic Interests	General Registrar of Powhatan County	5:00 P.M. 12/12/14
*3. Statement of Organization for a Candidate**	Refer to Chapter 2 in the Summary of Laws and Policies Candidate Campaign Committees document published by the Department of Elections	

Any person who fails to file all the required forms by the above deadline MAY NOT have his name printed on the Special Election ballot.

* Refer to Pages 2 through 8 herein for details.

** The failure to file the Statement of Organization for a Candidate is not cause for disqualification. However, you are subject to penalties required by the Campaign Finance Disclosure Act.

V. FILING DEADLINE AND WHERE TO FILE

For An Independent (Non-Party) Candidate

Items 1 and 2 listed below **must be received** by the *General Registrar* by the filing deadline. Postmarks are acceptable **only** for *Items 3 and 4* and **only** if they are mailed by registered or certified mail and a receipt showing date of mailing can be produced if demanded by the office with which the forms are filed.

REQUIRED FORMS	WHERE TO FILE	FILING DEADLINE
*1. Declaration of Candidacy *2. Petitions of Qualified Voters *3. Certificate of Candidate Qualification *4. Statement of Economic Interests	General Registrar of Powhatan County	5:00 P.M. 12/12/14
*5. Statement of Organization for a Candidate**	Refer to Chapter 2 in the Summary of Laws and Policies Candidate Campaign Committees document published by the Department of Elections	

Any person who fails to file all the required forms by the above deadline MAY NOT have his name printed on the Special Election ballot.

* Refer to Pages 2 through 8 herein for details.

** The failure to file the Statement of Organization for a Candidate is not cause for disqualification. However, you are subject to penalties required by the Campaign Finance Disclosure Act.

VI. REQUIREMENTS FOR INDEPENDENT CANDIDATE TO REFLECT THIRD PARTY NOMINATION

Virginia Code Section 24.2-613 permits an Independent to be identified as a member of a non-recognized political party (i.e. other than the Democratic Party or the Republican Party). In order to do so, the state chairman of the group must provide certain documents to the Department of Elections **by no later than 5:00 PM on Friday, December 12, 2014.**

These documents are:

1. An affidavit signed by the state chairman of the group, under oath, stating that the group:

    a. Has been in existence for at least six months prior to the filing deadline (i.e. existed on or before June 12, 2014);

    b. Has a state central committee composed of registered voters from each of Virginia's 11 congressional districts;

    c. Has a party plan and bylaws; and

    d. Has a duly designated chairman and secretary.

2. A list of the names and resident addresses of the officers and members of the state central committee;

3. A copy of the party plan and bylaws; and

4. A letter signed by the state chairman of the group, certifying that the individual is the nominee of the party and, if his/her filing is adequate and s/he is determined to be qualified, should have status as the third party's nominee in the February 10, 2015 election for the office for which s/he filed as an Independent candidate.

5. A letter signed by the nominee accepting the party's nomination.

NOTE:

Candidates for local office do not appear on the ballot with political party identification. However, nominees of political parties appear on the ballot in the order determined by the State Board of Elections. A third party candidate would appear on the ballot after the Democratic and Republican candidates, if present, and before the independent candidates. The Department of Elections recommends that the third party candidate provide this information to the State Chairman of the political party to assure that the deadline for providing this information is met.

VII. NOTICE OF DEFICIENCIES IN DECLARATION OR PETITIONS

An independent [non-party] candidate may request notification of any problems with his filing that can be corrected before the filing deadline. This request **must be in writing** as required by § 24.2-505 of the *Code of Virginia*.

This letter must be addressed to the Secretary of the Powhatan County Electoral Board. It must accompany the declaration of candidacy and, if required, the petitions filed with the General Registrar.

The written request **does not guarantee** timely response. Certain factors, may affect the electoral board's ability to comply with the request, that is, the number of filings, etc. It is suggested that documents be filed **at least ten [10] working days before the filing deadline** if this notice is requested.

VIII. APPEAL TO DEFICIENCIES IN PETITIONS

Section 24.2-506 of the Code of Virginia grants a nonparty candidate the right to appeal a local electoral board's determination of deficiencies with his/her petition signatures [§ 24.2-506(C)]. The State Board's regulation articulating the appeal process is provided below.

1VAC20-50-30. Appeals of petition signature insufficiency

A. Pursuant to the requirements of §§ 24.2-506 and 24.2-543 of the Code of Virginia, a candidate for office, other than a party nominee, may appeal a determination that the candidate has failed to provide the required number of valid petition signatures necessary to qualify to appear on the ballot.

B. Any communication or notice required in this section shall be made in writing and delivered by mail or, unless otherwise prohibited by the Code of Virginia, electronically by electronic mail or facsimile. Notice of appeal from candidates must bear a photographically reproducible notary seal and be received by the deadlines established within this section.

C. A candidate for a county, city, or town office shall file his appeal with the local electoral board. A candidate for any other office shall file his appeal with the State Board of Elections.

D. A candidate for an office other than President of the United States must file his appeal within five (5) calendar days of the issuance of the notice of disqualification.

E. A candidate for President must file his appeal within seven (7) calendar days of the issuance of the notice of disqualification.

VIII. APPEAL TO DEFICIENCY IN PETITION SIGNATURES

1VAC20-50-30. Appeals of petition signature insufficiency (continued)

F. The proper body to which the appeal notice was given shall establish the time and place where the appeal will be heard and convey this information immediately to the candidate. Electronic mail will be the preferred method of notifying the candidate if such address has been provided by the candidate, otherwise, notice shall be sent by first-class mail.

G. The candidate bears the burden of proof in establishing that a sufficient number of signatures from qualified voters were timely provided.

1. The candidate must submit a list containing the rejected signatures to be reviewed and the specific reason for each signature's reconsideration at least two (2) business days prior to the date on which the appeal will be heard. If the candidate submits no list, or submits a list that contains an insufficient number of names and reconsideration reasons to make up the number of signatures by which the candidate was deemed deficient, no appeal shall be held and the initial determination that the candidate did not qualify for the ballot will be final.

2. The candidate may submit documents clarifying the status of persons whose signatures were rejected for lacking proper registration status or residence.

3. The candidate may submit documents establishing the age of majority for any signer who was listed as ineligible due to status of being a legal minor.

4. The candidate may submit affidavits from persons whose signatures were rejected due to illegibility that attest to their identity. If possible, the affidavits should state the person's name, residence address, and a reasonable description of the location where approached by the circulator to sign the petition.

5. The candidate may not submit documents establishing that a petition signer became registered or updated their voter registration status to the address provided upon the petition after the established candidate filing deadline for the office sought.

VIII. APPEAL TO DEFICIENCY IN PETITION SIGNATURES

1VAC20-50-30. Appeals of petition signature insufficiency (continued)

H. Individual signatures reconsidered during the appeal will only count towards the candidate's requisite number if a majority of board members agree that sufficient evidence exists for their inclusion.

I. All determinations of the board before which the appeal is being heard shall be considered final and not subject to further appeal.

IX. OTHER REQUIRED CFDA REPORTS AND PENALTIES

All candidates who must comply with the provisions of the Campaign Finance Disclosure Act file *pre-election* and *post-election* Reports of Campaign Contributions and Expenditures. These reports are filed **only** with the electoral board of the candidate's county of residence **unless** the candidate opts to file reports electronically. Electronic filings are made only to the Department of Elections. For more information, visit our website:

http://elections.virginia.gov/index.php/candidatepac-info/campaign-finance-filing/

A person elected cannot assume office until s/he files his/her post-election report and has paid any outstanding civil penalties (§ 24.2-948.2). A post-election report must be filed with the local electoral board or, if the winner is an electronic filer, only with the Department of Elections with sufficient time to allow for, if necessary, assessment of a penalty by the local electoral board/ELECT and subsequent payment of the penalty before commencement of service in Powhatan County. The post-election report must include activity through Election Day.

No certificate of election can be issued to any successful candidate who fails to file the required reports or who fails to file any outstanding civil penalties.

Exceptions - A candidate for local office who files an exemption form certifying that he has not and will not solicit or accept any contribution from any other person during the course of his campaign and has not and will not contribute or expend more than $1,000 during the course of this campaign, is required to file reports of large pre-election contributions and a final report. A form for this purpose is prepared and distributed by the Department of Elections.

X. ORDER OF NAMES ON BALLOTS

In a **special election,** the candidates of political parties appear first on the ballot in the order determined by a drawing conducted by the State Board of Elections. Third party candidates appear after the Democratic and/or the Republican candidates, if present. Non-partisan or independent candidates appear next in alphabetical order by last name.

XI. THE SUCCESSFUL CANDIDATE

Any successful candidate must file, as a condition to assuming office, with the **clerk of the governing body**, a **second** statement of economic interests as required by §§ 2.2-3115 and 2.2-3116 of the *Code of Virginia* **prior to taking office**, and annually thereafter by January 15 of each year. Forms are prescribed by the Secretary of the Commonwealth and should be available from the appropriate clerk. If the clerk is unable to provide a copy, the form can be obtained from the Secretary of the Commonwealth's website:

https://commonwealth.virginia.gov/formslist/

The successful candidate in a special *election* is required by law to qualify and take the oath of office within 30 days from the date of the election (§ 24.2-201).

XII. FREQUENTLY ASKED QUESTIONS

Listed below are the most commonly asked questions. If you need further details, please call us on our toll-free number.

A. Who may circulate a candidate's petitions?

Answer: **A candidate's petitions may be circulated by any person who is a legal resident of the United States of America. Circulators may not be minors or felons whose voting rights have not been restored**.

Special Note: The U.S. Supreme Court denied certification of Virginia's appeal in the 2012 Libertarian Party of Virginia v. Judd et al. case. The decision leaves in place the U. S. 4th Circuit Court's directive that prohibits the State Board of Elections from enforcing the in-state residency requirement to circulate a candidate's petition contained within §§ 24.2-506, 24.2-521 and 24.2-543.

The circulator must affirm before a notary or other person authorized to administer oaths, that he **personally witnessed** the affixing of each signature. Falsely taking this affidavit is a felony under Virginia law. The circulator can **NEVER** leave the petition unattended, e. g., left on the counter at a grocery store, restaurant, etc.

B. I am circulating a petition for a candidate. May I also sign as a qualified voter the petition that I am circulating?

I am a Notary circulating petitions for a candidate. May I notarize the petition pages I circulate?

Answer: **No to both questions**. The person circulating the petition must swear, under oath, that he **personally witnessed** the affixing of each signature on the petition and no person can witness his own signature.

XII. FREQUENTLY ASKED QUESTIONS (continued)

C. I am a candidate and a Notary. May I notarize the petition pages circulated by other persons?

Answer: **No**. § 47.1-30 of the *Code of Virginia* prohibits a notary from performing a notarial act on any document in which the notary or his spouse is a party, **or** in which either of them has a direct beneficial interest.

Any Notary who violates these provisions is considered guilty of official misconduct, may be removed from office and may be subject to other penalties.

D. I work for the federal government. Can I be a candidate?

Answer: **Pursuant to the federal law commonly known as the Hatch Act, you may be a candidate in a non-partisan election or, if you live in the Counties of Arlington, Fairfax, Loudoun, Prince William, Spotsylvania or Stafford or the Cities of Alexandria, Fairfax, Falls Church, Manassas, Manassas Park or Portsmouth, you may be an independent candidate for local office in a partisan election**. An election is considered partisan if any of the candidates for the office you would seek are nominated by a political party.

To determine whether you might also be affected by the rules and regulations of the agency for which you work, **contact your personnel officer**.

It should also be noted that most employees of the legislative branch of the federal government are not covered by the Hatch Act but may be affected by other rules and regulations.

E. I work for the state or a local government. Can I be a candidate?

Answer: **Some state and local government employees are prohibited from being candidates**. You may be so prohibited if your Agency receives federal funds. **Contact the personnel officer where you work**. If necessary, present the facts of your case in writing, including the office you wish to seek, to the Hatch Act Unit, **U.S. Office of the Special Counsel**, 1730 M Street NW, Suite 218, Washington, D. C. 20036-4505 or call them at 800-854-2824 or 202-254-3650. That office will determine if you are affected by the Hatch Act. Their web address is http://www.osc.gov.

Most state and local government employees are not prohibited by law from being a candidate. However, you may be affected by the rules and regulations of the agency or ordinances of the government for which you work. **Contact your personnel officer**.

F. I do business with my local government. Am I prohibited from holding office on its governing body due to a conflict of interest?

Answer: **Contact an attorney to determine whether or not the provisions of the State and Local Government Conflict of Interests Act [§§ 2.2-3100 through 2.2-3127 of the *Code of Virginia*] might affect your ability to hold the office you intend to seek**.

XII. FREQUENTLY ASKED QUESTIONS (continued)

G. What activities are permitted at the polls on election day?

Answer: **Please refer to the Do's and Don'ts with Guidelines for Campaigners and Authorized Representatives published by the Department of Elections**. We suggest that you provide this information to any person who will either serve as your representative inside the polls or work for you outside the polls on Election Day.

http://www.sbe.virginia.gov/Files/Cast%20Your%20Ballot/VotingInPerson/DosDontsCampaigners-Authorized-Representatives-SBE604.pdf

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