



★ VIRGINIA ★
DEPARTMENT *of* ELECTIONS

How to Run for House of Delegates, 35th District

Ballot Access Requirements for the
January 10, 2023 Special Election

Definitions and Key Icons

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 (currently only Democratic and Republican)

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

Independent – an individual who is seeking to run in a General Election without the nomination from the Republican or Democratic party (may include a recognized party or no party)

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

Va. Code – Virginia Code

VAC – Virginia Administrative Code

Writ of election – a legal document issued by a judge ordering an election

COMET – Database for candidates to file, and the Department of Elections to track, campaign finance

- 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.

How candidates get on the ballot in Virginia

Follow these instructions to get on the ballot for the House of Delegates Special Election in the 35th District on January 10, 2023.

Do you fulfill the basic qualifications to be a candidate?

- You have been a resident of Virginia for one year immediately preceding the election.
- You are a resident of the 35th House of Delegates district.
- You are registered to vote in 35th House of Delegates district.

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 Qualifications – General Assembly §§ 24.2-501 or 24.2-503 SBE Policy 2019-001		The Department of Elections Postmarked by deadline if sent registered or certified USPS mail.	Non-primary party and independent candidates: Thursday, September 8, 2022	Monday, November 14, 2022
2	Statement of Economic Interest – General Assembly §§ 24.2-502 and 24.2-503 SBE Policy 2019-001		The Department of Elections Postmarked by deadline if sent registered or certified USPS mail.	Non-primary party and independent candidates: Thursday, September 8, 2022	Monday, November 14, 2022
3a	Declaration of Candidacy §§ 24.2-505 , 24.2-507 , 24.2-520 , and 24.2-522 SBE Policy 2019-001	Submit with the Petitions of Qualified Voters (3b). Non-primary party candidates do not need to file this document.	Your General Registrar	Independent candidates: Thursday, September 8, 2022	Monday, November 14, 2022

	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?
3b	Petitions of Qualified Voters §§ 24.2-505(D) , 24.2-506 , 24.2-507 , 24.2-521 , and 24.2-522 Administrative Code 1 VAC 20-50-20 and 1 VAC 20-50-30 SBE Policy 2019-001	Submit with the Declaration of Candidacy (3a). You do not need to submit all signature pages at once. Non-primary party candidates do not need to file this document.	Your General Registrar	Independent candidates: Thursday, September 8, 2022.	Monday, November 14, 2022
4	Statement of Organization for a Candidate §§ 24.2 Chapter 9.3 §§ 24.2 24.2-947.1	Submit SOO electronically using COMET: <ul style="list-style-type: none"> Print PDF of SOO, sign, and send to the Department of Elections. Make a copy of the signed PDF and send to your General Registrar. 			Within 10 days of meeting specific conditions. See conditions listed here and in code 24.2-947.1 .
5	Campaign Finance Reports §§ 24.2 Chapter 9.3		With the Department of Elections through COMET.		Select House of Delegates 35 th District Special Election January 10, 2023 here .

Follow these steps to file your candidacy:

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



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

Find in [SBE Policy 2019-001](#).



Non-primary party and independent candidates

File starting **September 8, 2022**.

File ending **November 14, 2022**.

All candidates can mail this form by the deadline and the Department of Elections will accept it. You must:

- Pay the postage and send by registered or certified mail.
- Keep the receipt in case the Department of Elections asks for proof that you mailed this form 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.

2 Fill out and submit the [Statement of Economic Interest – General Assembly](#)



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

Find in [SBE Policy 2019-001](#).

Required of a candidate running for House of Delegates.



Non-primary party and independent candidates

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All candidates can mail this form by the deadline and we will accept it. You must:

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



Submit this form to the Department of Elections.



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

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

3a 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](#).

Find in [SBE Policy 2019-001](#).



Independent candidates

File starting **September 8, 2022**.

File ending **November 14, 2022**.

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 Petition of Qualified Voter forms to your General Registrar.



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.

3b Collect petition signatures and submit the [Petitions of Qualified Voters](#) (SBE-506/521).





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

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

Find in [SBE Policy 2019-001](#).

Check local charters for additional or different requirements.

Contact the local attorney for guidance.

Non-primary party candidates	Independent Candidates
 You do not need to submit this form.	Collect signatures: Thursday, September 8, 2022 - November 14, 2022. File starting: September 8, 2022. File ending: November 14, 2022.
	File this form with your general registrar.



When an independent candidate files petition pages with the General Registrar for the first time, they must file their Declaration of Candidacy.

Candidates running for the special election may file petition pages more than once.

See the table on page 11 for the number of signatures needed.

Independent candidates will appear on the ballot in the order of time of filing for the office - the time at which the independent candidate files the required number of petition signatures. If no petition is required, the time of filing will be when the candidate files a completed statement of qualification.

At the time of filing you can request notification of any problems that can be corrected before the filing deadline. Make this request in writing and address it to the Secretary of the local electoral board.

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

If you do not qualify as a candidate because you did not have enough signatures, then you can submit an appeal to the local electoral board regarding the petition signatures.

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](#).

Things to remember about petitions:

Petition Pages must...

- be on the form from the Department of Elections, and you cannot alter it in any way.
- be either letter or legal size. Both are available on the [Department of Elections website](#).
- be one page printed on the front and back. You can make as many copies as you need.
- contain the signature, printed full name, and full residence address of each qualified voter and the date the voter signed. The last four (4) digits of the qualified voter's Social Security number are helpful, but not required.

The petition circulator...

- must be a legal resident of the United States and must sign the affidavit for each page in front of a notary.
- cannot be a minor.
- can be an individual who was convicted of a felony only if their voting rights are restored.
- cannot be the circulator of the page on which they sign the petition.

When collecting your petition signatures, it is helpful to remember that...

- Because people who are not registered to vote often sign petitions for candidates, we recommended that you collect at least 1 ½ times the number of signatures required.
- [1VAC20-50-20](#) lists material omissions for petition signatures and pages. If your petition has a material omission, it may render the page or signature invalid.

Petition Signature Requirements

Office you seek	Number of petition signatures you need from qualified voters
For a candidate for the House of Delegates...	125 signatures

Can I withdraw my candidacy?



Find in Virginia Code § [24.2-612.2](#). ELECT offers [ELECT-612.2](#) to help facilitate the candidate withdrawal process.



A withdrawing candidate should submit his/her withdrawal notice with enough time before absentee voting commences in order to ensure his/her name is removed from the ballot.

If you submit your form after your local ballots are printed, your name will not be removed from the ballot, but you will no longer be a candidate.



Submit your written withdrawal to your [General Registrar](#). Electronic submissions of signed withdrawal notices are permissible.



To be withdrawn from the ballot you must submit a signed written notice declaring your intent to withdraw from the election.

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

4 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 SOO **electronically using COMET**:

- Print PDF of SOO, sign, and send to the Department of Elections.
- Make a copy of the signed PDF and send to your General Registrar.



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

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

5 Submit Campaign Finance Reports



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



Select House of Delegates 35th District Special Election January 10, 2023 [here](#).



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

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.