



★ VIRGINIA ★
DEPARTMENT *of* ELECTIONS

Candidate Bulletin

**Requirements for the
February 5, 2019
Town of Lovettsville
Town Council
Special Elections***

*There are two (2) Town Council seats up for election; one for unexpired term ending June 30, 2020 and one for unexpired term ending June 30, 2022.



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Candidate Requirements

1. General Disclaimer

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.

Candidates are responsible for complying with all current applicable local, state, and federal laws and regulations. Candidates for local and constitutional offices should contact their local attorney for guidance and information regarding local election laws and regulations.

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

2. Qualifications to be a Candidate

Va. Code §§ [24.2-101](#) (definitions of “qualified voter” and “residence”), [24.2-500](#), and [24.2-501](#);

Va. Administrative Codes [1 VAC 20-40-20](#) and [1 VAC 20-40-30](#)

A candidate must meet each of the following requirements:

- Qualified to vote for and hold the office sought.
 - A resident of the town in which they offer for election.
 - Registered to vote in the town in which they offer for election.
- A resident of the Commonwealth of Virginia for one year immediately preceding the election.

3. Required Filings

Candidates must file certain items in order to qualify to appear on the ballot. Each item is described below along with an explanation of who is required to file.

3.1 Certificate of Candidate Qualification

Form: [SBE-501](#); Va. Code §§ [24.2-501](#) and [24.2-503](#)

All candidates are required to file this form to certify under oath that they meet the qualifications set out in the Code of Virginia. Candidates for local and constitutional offices must file this form with the general registrar in the candidate’s locality of residence.

IMPORTANT:

- ★ Candidates are set up in the Virginia Election and Registration System (VERIS) using this form. The candidate information provided on the Department’s website is pulled directly from VERIS. To avoid delays in candidate set up and incomplete/incorrect information being posted to the website, please confirm that you have completed the form correctly and in its entirety before filing.
- ★ You must provide a ballot name that complies with the ballot standards listed on the back of the form.
- ★ All contact information you provide on the form will be posted on the Department’s website.

3.2 Declaration of Candidacy

Form: [SBE-505/520](#); Va. Code §§ [24.2-505](#) and [24.2-507](#)

This form is a required filing for independent (non-party) candidates and must be filed with the candidate’s Petitions of Qualified Voters. Candidates for local and constitutional offices must file this form with the general registrar in the candidate’s locality of residence.

Party candidates nominated by a non-primary method are not required to submit a Declaration unless required by their party to do so.

3.3 Petition of Qualified Voters

Form: [SBE-506/521](#); Va. Code §§ [24.2-505\(D\)](#), [24.2-506](#) and [24.2-507](#); Va. Administrative Code [1 VAC 20-50-20](#) and [1 VAC 20-50-30](#)

This form is a required filing for independent (non-party) candidates and must be filed with the candidate’s Declaration of Candidacy. Candidates for local offices must file these forms with the general registrar in the candidate’s locality of residence.

Candidates for town council must collect at least 50 town registered voter signatures. Special election candidates may begin circulating petitions for signatures when the writ or order calling the election is issued, unless specified differently in the writ or order. Any signatures obtained before this date will be rendered invalid and not counted. Please review the State Board’s regulation regarding material omissions from qualified voters on petitions (Va. Administrative Code [1 VAC 20-50-20](#)) before circulating Petitions.

Local charters may have additional/different requirements. Please contact the local attorney for guidance and more information.

IMPORTANT:

- ★ The petition is a two-sided form (one page, front and back), and comes in two sizes: legal and letter. The petition’s pages on which signatures are obtained must be originally printed two-sided (one page, front and back) to be considered valid.
- ★ Any petition that is printed on two separate pieces of paper or copied front and back from two separate pieces of paper will be rendered invalid and none of its signatures will be counted.

Candidates do not have to wait until they have obtained the required number of signatures to file completed petition pages. Candidates may make multiple filings. The candidate’s Declaration of Candidacy form must be filed with the first filed petition pages.

Candidates may, at the time of filing, request notification of any problems with their filing that can be corrected before the filing deadline. This request must be made in writing and addressed to the secretary of the electoral board. The written request does not guarantee timely response. Certain factors, such as the number and timing of filings, may affect the electoral board’s ability to comply with the request.

A candidate may 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. Candidates have five days from the issuance of the disqualification notice to file their appeal with the determining body.

Appeals are conducted by the determining body in accordance with regulations set forth by the State Board of Elections. 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 the Code of Virginia and regulations for petitions set forth by the State Board of Elections]. The candidate bears the burden of proof in establishing that a sufficient number of signatures from qualified voters were timely provided.” All appeals are final and not subject to further appeal.

3.4 Statement of Economic Interests

(Not required to be filed due to population exemption)

Va. Code § [24.2-502](#)

Local and constitutional candidates for offices in any county, city, or town with a population of 3,500 or less are not required to file a Statement of Economic Interests (SOEI).

3.5 Party Certification of Non-Primary Candidate

Form: [SBE-511](#); Va. Code §§ [24.2-510](#) and [24.2-511](#)

Political party chairs are required to file this form for candidates nominated by a non-primary method. It is submitted in place of the Declaration of Candidacy and Petition of Qualified Voters. Party

Certification for local and constitutional candidates must be filed with the Department and the general registrar(s) in the locality(ies) in which the candidate will appear on the ballot.

3.6 Statement of Organization and Campaign Finance Reports

Links: [Campaign Finance Information](#) and [COMET](#); Va. Code Title 24.2 [Chapter 9.3](#)

While the Statement of Organization is not required to qualify for the ballot, it is required to be filed by all persons seeking or campaigning for an elected office who meet the conditions outlined in Va. Code § [24.2-947.1](#) of the [Campaign Finance Disclosure Act \(CFDA\)](#). The form is due within 10 days of meeting any one of the conditions. Failing to file the Statement of Organization is not cause for disqualification but will subject a candidate to penalties imposed by the CFDA.

Candidates for local offices must file the Statement of Organization with the general registrar in the candidate's locality of residence. If the candidate resides in a county or city that has a population of 70,000 or more they must also file the form electronically through [Committee Electronic Tracking \(COMET\)](#) on the Department's website. If the candidate resides in a county or city that has a population less than 70,000 they may also file through COMET, but does not have to.

Subject to certain exemptions, candidates for local and constitutional offices must also file campaign finance disclosure forms and a final report. If the candidate resides in a county or city that has a population of 70,000 or more they must file these electronically through COMET. If the candidate resides in a county or city that has a population less than 70,000 they may file through COMET or by paper with the general registrar of the locality in which they reside. Reporting due dates are outlined in the [Candidate Filing Schedule](#) on the Department's website.

The CFDA also imposes certain requirements relating to identification of campaign advertisements and communications. Please see the [Candidate Campaign Committee Summary](#) published by the Department for specific requirements.

4. How to File

Contact information for filing with your general registrar can be found on the [Local Voter Registration Office](#) search page on the Department's website.

Please contact your party chairman for their contact information for filing.

IMPORTANT:

- ★ Forms with social security numbers may not be emailed due to containing confidential information. Any form with a social security number submitted through email will not be accepted.

- ★ Original completed petitions must be submitted. Petitions submitted through fax or email will not be accepted. Copies of signatures will be rendered invalid and not counted.
- ★ Only the Certificate of Candidate Qualification may be considered timely filed if mailed on the filing deadline date. They must be mailed postage prepaid to the appropriate location by registered or certified mail. The mailing receipt must be made available for review upon request to show the document was mailed by the deadline. All other forms must be received by the deadline to be considered timely filed.

5. Filing Summary Tables

Forms: Campaign finance forms and COMET can be found [here](#). All other forms can be found [here](#).

5.1 For a party candidate nominated by a method other than a primary

What to File	Where to File	Deadline to File
Certificate of Candidate Qualification	General registrar in the locality of residence	Friday, 12/7/2018
Party Certification	<ol style="list-style-type: none"> 1. Department of Elections 2. General Registrar(s) in the locality(ies) of ballot appearance 	
Statement of Organization (locality population 70,000 or more)	<ol style="list-style-type: none"> 1. Department of Elections (Electronically through COMET) 2. General Registrar in the locality of residence 	Within 10 days of meeting any one of the conditions listed in § 24.2-947.1
Statement of Organization (locality population less than 70,000)	<ul style="list-style-type: none"> • General Registrar in the locality of residence • Department of Elections (Electronically through COMET) – May file but not required 	Within 10 days of meeting any one of the conditions listed in § 24.2-947.1

5.2 For an independent (non-party) candidate

What to File	Where to File	Deadline to File
Certificate of Candidate Qualification	General registrar in the locality of residence	Friday, 12/7/2018
Declaration of Candidacy		
Petitions of Qualified Voters		
Statement of Organization (locality population 70,000 or more)	<ol style="list-style-type: none"> 1. Department of Elections (Electronically through COMET) 2. General Registrar in the locality of residence 	Within 10 days of meeting any one of the conditions listed in § 24.2-947.1

Statement of Organization (locality population less than 70,000)	<ul style="list-style-type: none">• General Registrar in the locality of residence• Department of Elections (Electronically through COMET) – May file but not required	Within 10 days of meeting any one of the conditions listed in § 24.2-947.1
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6. Candidate Withdrawal

Form: [ELECT-612.2](#); Va Code § [24.2-612.2](#)

A candidate who has qualified to have his name printed on the ballot for an election shall not be deemed to have withdrawn from such election until he has submitted a signed written notice declaring his intent to withdraw from such election. Such notice shall be provided to the general registrar of the county or city in which he resides. The recipient general registrar shall, when appropriate, notify the general registrars in other localities and/or the Department.



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7. Election Calendar – February 5, 2019 Special Election

Election Type	Election Date	Filing Deadlines		Last Day to Register to Vote	Last Day to Apply for an Absentee Ballot
		For Candidates	For Parties		
Stand Alone Special	Tuesday, 2/5/2019	Friday, 12/7/2018	Friday, 12/7/2018	Tuesday, 1/22/2019 <ul style="list-style-type: none">In Person: 5:00 pmOnline: 11:59 pm	<ul style="list-style-type: none">Online, Fax, Mail: Tuesday, 1/29/2019, 5:00 pmIn Person: Saturday, 2/2/2019, 5:00 pm
		Va. Code §§ 24.2-503 and 24.2-507	Va. Code §§ 24.2-510 and 24.2-511	Va. Code §§ 24.2-414 and 24.2-416	Va. Code § 24.2-701

See section 4 in the candidate bulletin for more information on which forms can be filed electronically or via fax.

Polls are required to be open 6:00 am through 7:00 pm during all elections. (Va. Code § [24.2-603](#))

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