



★ VIRGINIA ★
DEPARTMENT *of* ELECTIONS

How to Run for Board of Supervisors, Chilhowie District, Smyth County

Ballot Access Requirements for
the **July 14, 2020 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 Board of Supervisors, Chilhowie District, Special Election on July 14, 2020.

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 Chilhowie Magisterial District within Smyth County.
- ☐ You are registered to vote in the Chilhowie Magisterial District within Smyth County.

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 – Local Office §§ 24.2-501 or 24.2-503 SBE Policy 2019-001		Smyth County General Registrar Postmarked by deadline if sent registered or certified USPS mail.	Non-primary party and independent candidates: Tuesday, November 19, 2019.	Friday, May 15, 2020 at 5:00 p.m.
2	Statement of Economic Interest – Local Office §§ 24.2-502 and 24.2-503 SBE Policy 2019-001	Only applies to certain candidates (review page 7).	Smyth County General Registrar Postmarked by deadline if sent registered or certified USPS mail.	Non-primary party and independent candidates: Tuesday, November 19, 2019.	Friday, May 15, 2020 at 5:00 p.m.
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.	Smyth County General Registrar	Independent candidates: Tuesday, November 19, 2019.	Friday, May 15, 2020 at 5:00 p.m.

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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.	Smyth County General Registrar	Independent candidates: Tuesday, November 19, 2019.	Friday, May 15, 2020 at 5:00 p.m.
4	Statement of Organization for a Candidate §§ 24.2 Chapter 9.3 §§ 24.2 24.2-947.1	Submit two copies when filing electronically: <ul style="list-style-type: none"> First, with the Department of Elections according to instructions in COMET. Second copy with the Smyth County General Registrar after filing with ELECT. Submit one copy when filing by paper: <ul style="list-style-type: none"> With the Smyth County 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. OR If your locality has a population of less than 70,000, with your general registrar by paper.			For candidate committees active in 2019, file according to the appropriate 2019 reporting schedule . For candidate committees active in 2020, file according to the appropriate 2020 reporting schedule .

Follow these steps to file your candidacy:

- 1 Fill out and submit the [Certificate of Candidate Qualification Form – Local Offices](#) (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 **November 19, 2019**.

File ending **May 15, 2020 at 5 pm**.

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

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



Submit this form to your general registrar.



After you submit this form:

- The general registrar 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 Interests](#) (if required).



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

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

Required of a candidate running for constitutional office OR a candidate running for a seat on a governing body or elected school board of any county, city, or town with a population in excess of 3,500 persons.



Non-primary party and independent candidates

File starting **November 19, 2019**.

File ending **May 15, 2020 at 5 pm**.

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 your general registrar.



An interim appointee who filed the Statement of Economic Interest pursuant to § [2.2-3115](#), i.e. to assume office, is not required to file another Statement of Economic Interest as a candidate.

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

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 **November 19, 2019**.

File ending **May 15, 2020 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 Petition of Qualified Voter forms to the Smyth County 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
<div><div></div><div>You do not need to submit this form.</div></div>	<div>Collect signatures:</div> <div>Tuesday, November 19, 2019, – Friday, May 15, 2020.</div> <div>File starting: November 19, 2019.</div> <div>File ending: May 15, 2020 at 5 pm.</div>
<div><div></div><div></div></div>	<div>File this form with your general registrar.</div>



When an independent candidate files petition pages with the Smyth County General Registrar for the first time, s/he must file his/her 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 his/her 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	Size of locality (if relevant)	Number of petition signatures you need from qualified voters
Membership on the governing body or elected school board of...	Any county or city	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 two copies when electronically filing:

- [With the Department of Elections according to the instructions in COMET](#)
- [With the General Registrar in the locality where you live after filing with the Department of Elections.](#)

Submit one copy when paper filing:

- [With the General Registrar in the locality where you live after filing with the Department of Elections.](#)



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](#).



For candidate committees active in 2019, submit reports according to the appropriate [2019 reporting schedule](#). Candidate committees active in 2020, submit reports according to the appropriate [2020 reporting schedule](#).



Submit copies to:

- [Department of Elections through COMET](#)
- OR to your general registrar by paper for localities with populations fewer than 70,000.

Qualified Independent Candidate that Wishes to Reflect Nomination by a Third Party.



Find in Virginia Code § [24.2-613](#). Party ID does not appear on the ballot for local office elections. The nomination by a third party will provide the candidate with his/her party's ballot position placement as determined by the State Board of Elections (see § 24.2-613(C)).



File starting **November 19, 2019**.
File ending **May 15, 2020 at 5 pm**.

Use this table to learn what, when, and where to file.

	What do I need to file?	Where do I file this letter?	When does filing open?	What is the deadline to file?
1.	<p>A letter signed by the State Chair stating the following:</p> <ul style="list-style-type: none"> The group has been in existence for at least six months prior to the filing of its nominee. The group has a state central committee composed of registered voters from each of Virginia's 11 congressional districts in continual existence for the six months prior to the filing of its nominee. The group has a party plan and bylaws. 	With the Department of Elections.	Tuesday, November 19, 2019.	Friday, May 15, 2020 at 5 pm.
2.	<p>A letter signed by the State Chair and signed by the candidate stating the following:</p> <ul style="list-style-type: none"> The Chair certifies the candidate is the nominee of the party. The candidate accepts the nomination of the party. 	With the Department of Elections.	Tuesday, November 19, 2020.	Friday, May 15, 2020 at 5 pm.



Submit these letters to the Department of Elections. Electronic submission of these letters is permissible (ea@elections.virginia.gov).



The Department of Elections recommends that the Independent candidate provide this information to the State Chair of his/her party. This presumably will assure that the party will provide the nominee with what s/he needs to file with the Department of Elections.

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.