

seeking to be listed as candidates for that office on the primary election ballot in accordance with Section 8025.

(b) Whenever a candidate for nomination for a partisan voter-nominated office at a primary election dies ~~on or~~ less than 74 days before the day of the election, and a sufficient number of ballots are marked as being voted for him or her to entitle him or her to nomination if he or she had lived until after the primary election, a vacancy shall exist on the general election ballot, which shall be filled in the manner provided in Section 8806 for filling a vacancy caused by the death of a candidate.

SECTION 67. Section 8806 of the Elections Code is amended to read:

~~8806. Vacancies permitted to be filled may, in the case of legislative offices, be filled by the county central committee or committees of the party in which the vacancy occurs, in the county or counties comprising the legislative district of the deceased candidate. In the case of all other district or state offices requiring party nomination, except congressional offices, the vacancies may be filled by the state central committee of the party.~~

~~Vacancies permitted to be filled may, in the case of congressional offices, be filled by those members of the state central committee of the party who reside in the congressional district in which the vacancy occurs, and who were registered to vote in that district at the time the vacancy occurred, acting together with the members of the county central committee or committees of the party residing in that congressional district.~~

~~References in this section to state and county central committees shall be construed to refer to the newly elected or selected state and county central committees, unless the organizational meetings of those committees are held in January following the general election.~~

(a) If a vacancy occurs at least 68 days prior to the general election among the top two candidates nominated at the direct primary election to be listed on the ballot for the succeeding general election for a voter-nominated office, the name of the candidate receiving at the direct primary election the next highest number of votes shall be listed on the general election ballot to fill the vacancy.

(b) In the event that there is either only one candidate on the ballot for a specific voter-nominated office or there are two candidates who were the only candidates in the preceding voter choice open primary election, and a vacancy occurs 74 days or more prior to the general election as to a candidate who was nominated by the voters for that office, the name of that candidate shall be removed from the general election ballot. The elections official shall declare the nomination process open and shall accept through the 68th day prior to the general election all nomination documents from persons seeking to be listed as candidates for that office on the general election ballot. In the event that any candidate receives a majority of all votes cast for that office in the ensuing general election, that candidate shall be declared elected to the office. In the event that no candidate receives a majority of all votes cast for that office in the general election, the candidates, regardless of party registration, including candidates registered as "no party," who are the top two vote getters shall be listed as the nominees of the voters on a special run-off election to be held not less than 63 days and not more than 70 days after the general election. The top two vote getters shall be eligible to be listed on the run-off election ballot regardless of party registration, including candidates registered as "no party." The name of a write-in candidate shall not be listed on the special

run-off election ballot unless the write-in candidate was one of the top two vote getters in the general election or otherwise qualifies under Section 8605.

(c) In the event that there are two candidates on the ballot for a specific voter-nominated office, and a vacancy occurs less than 74 days prior to the general election as to either candidate nominated by the voters for that office, both names shall be listed on the general election ballot. In the event that the candidate occupying the non-vacant position wins a majority of the vote at the general election, that candidate shall be declared elected to that office. In the event that the candidate occupying the vacant position wins a majority of the vote at the general election, that candidate shall be declared elected to the office. The office to which the candidate occupying the vacant position was elected shall be vacant at the beginning of the term for which he or she was elected. In that event, a special election to fill the vacancy in the office shall be held pursuant to Part 6 (commencing with Section 10700) of Division 10.

(d) In the event that there is only one candidate on the ballot for a specific voter-nominated office, and a vacancy occurs less than 74 days prior to the general election as to the candidate who was nominated by the voters for that office, the name of the candidate occupying the vacant position shall be listed on the general election ballot. In the event that the candidate wins a majority of the vote at the general election, that candidate shall be declared elected to the office. The office to which the candidate was elected shall be vacant at the beginning of the term for which he or she was elected. In that event, a special election to fill the vacancy in the office shall be held pursuant to Part 6 (commencing with Section 10700) of Division 10.

SECTION 68. Section 8811 of the Elections Code is amended to read:

8811. Whenever, upon the death of any candidate, the vacancy created is filled ~~by a party committee~~ pursuant to section 8806 or section 8807, a certificate to that effect shall be filed with the officer with whom a declaration of candidacy for that office may be filed, and, upon payment of the filing fee applicable to the office, shall be accepted and acted upon by that officer as in the case of an original declaration certificate.

SECTION 69. Section 10704 of the Elections Code is amended to read:

10704. (a) A special voter choice open primary election shall be held in the ~~district~~ political subdivision in which the vacancy occurred on the eighth Tuesday or, if the eighth Tuesday is the day of or the day following a state holiday, the ninth Tuesday preceding the day of the special general election at which the vacancy is to be filled. Candidates at the special voter choice open primary election shall be nominated by the voters in the manner set forth in Chapter 1 (commencing with Section 8000) of Part 1 of Division 8, except that nomination papers shall not be circulated more than 63 days before the primary election, shall be left with the county elections official for examination not less than 43 ~~47~~ days before the primary election, and shall be filed by the county elections official with the Secretary of State not less than 39 ~~43~~ days before the primary election.

(b) Notwithstanding Section 3001, applications for absent voter ballots may be submitted not more than 25 days before the primary election, except that Section 3001 shall apply if the