



Republican Party of Virginia
www.rpv.org

May 9, 2023

Steve Knotts, Chairman
Fairfax County Republican Committee

VIA E-mail

Dear Chairman Knotts,

You requested my ruling or interpretation of the Party Plan regarding its provisions on participation in the nominating process of another political party.

Article I sets out the requirements for membership in the Republican Party of Virginia for purposes of participating in its nominating contests. Among other things, membership requires a voter to “be in accord with the principles of the Republican Party.” Art. I, Sec. A, para. 1. Article I expands on the meaning of “being in accord” in paragraph 4—

to be in accord with the principles of the Republican Party, unless otherwise stipulated by the appropriate Official Committee, a person otherwise qualified hereunder shall not have participated in Virginia in the nomination process of a party other than the Republican Party with in the last five years. Art. I Sec. A, para. 4

Your request relates to the phrase, “unless otherwise stipulated by the appropriate Official Committee.” *Id.*

Specifically, you ask whether the Fairfax County Republican Committee may stipulate that participation in a Democratic Primary Election for the Attorney for the Commonwealth for Fairfax County will not trigger the exclusion of an otherwise qualified person from participation in future Republican nominating contests?

Yes, the Fairfax County Republican Committee may so stipulate.

The Plan gives Official Committees substantial control over how nominating processes will be conducted. It is clear from the plain language in Article I quoted above that committees have discretion over the particular rule regarding participation in another

party's nominating process. An Official Committee may exclude a nominating process within its jurisdiction from being considered in applying paragraph 4 in the future.

Here, the Fairfax County Republican Committee may stipulate that a particular Democratic Party nominating contest within Fairfax County—the contest for Attorney for the Commonwealth for Fairfax—will not be considered in applying the paragraph 4 rule in the future. Should the Fairfax County Republican Committee so stipulate, a voter who participates in that primary may not be excluded from future state, district, or county nominating processes under Article I because of his participation.

However, an Official Committee could not make a stipulation regarding a nominating contest extending beyond the borders of its jurisdiction. For example, a Unit Committee could not stipulate that a Democratic Party nominating contest for U.S. Senate will not be considered in applying the paragraph 4 rule in the future.

This letter constitutes a ruling or interpretation of the Party Plan. Pursuant to Article X, it may be appealed to the Executive Committee or directly to the State Central Committee within thirty days of the date it is posted on the RPV website.

Sincerely,



Chris Marston,
General Counsel