

# 2022 SESSION

ENGROSSED

22101373D

## SENATE BILL NO. 58

Senate Amendments in [ ] - February 2, 2022

Prefiled January 1, 2022

*A BILL to amend and reenact § 3.11 of Chapter 640 of the Acts of Assembly of 2011, which provided a charter for the City of Portsmouth, relating to [ ~~recall of elective officers~~ city council; noninterference ] .*

Patron Prior to Engrossment—Senator Locke

Referred to Committee on Local Government

### **Be it enacted by the General Assembly of Virginia:**

**1. That § 3.11 of Chapter 640 of the Acts of Assembly of 2011 is amended and reenacted as follows:**

§ 3.11. Noninterference in appointments or removals.

Neither the City Council nor any of its members shall direct or request the appointment of any person to or the removal of any person from any office or employment by the City Manager or by any of the Manager's subordinates, or in any way take part in the appointment of or removal of officers and employees of the city except as specifically provided in this Charter. Except for the purpose of inquiry, the City Council and its members shall deal with the administrative services of the city solely through the City Manager. Neither the City Council nor any member thereof shall give orders either publicly or privately to any subordinate of the City Manager. ~~[ Any Council Member violating the provisions of this section or voting for a motion, resolution or ordinance in violation of this section shall be guilty of a class three misdemeanor and upon conviction thereof shall forfeit office as a Council Member. ]~~ *Any Council Member who violates this section, upon motion of another member of the City Council and a majority vote of all members of the City Council, shall be subject to public censure and a fine not to exceed \$100.*

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SB58E