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HOUSE BILL NO. 1109

Offered January 12, 2022

Prefiled January 12, 2022

A BILL to amend and reenact § 15.2-1400 of the Code of Virginia and to repeal the second enactment of Chapter 103 of the Acts of Assembly of 2021, Special Session I, relating to elections; time of certain local elections.

Patron—LaRock

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:**1. That § 15.2-1400 of the Code of Virginia is amended as follows:****§ 15.2-1400. Governing bodies.**

A. The qualified voters of every locality shall elect a governing body for such locality. The date, place, number, term, and other details of the election shall be as specified by law, general or special. Qualification for office is provided in Article 4 (§ 15.2-1522 et seq.) of Chapter 15.

B. The governing body of every locality shall be composed of not fewer than three nor more than 11 members.

C. Chairmen, mayors, supervisors, and councilmen are subject to the prohibitions set forth in §§ 15.2-1534 and 15.2-1535.

D. A governing body may punish or fine a member of the governing body for disorderly behavior.

E. ~~Notwithstanding the provisions of §§ 24.2-222 and 24.2-222.1, any city or town charter, or any other provision of law, general or special, beginning with any election held after January 1, 2022, elections for mayor, members of a local governing body, or members of an elected school board shall be held at the time of the November general election for terms to commence January 1.~~

F. Notwithstanding any other provision of law, general or special, in a locality that imposes district-based or ward-based residency requirements for members of the governing body, the member elected from each district or ward shall be elected by the qualified voters of that district or ward and not by the locality at large.

2. That the second enactment of Chapter 103 of the Acts of Assembly of 2021, Special Session I, is repealed.**3. That, notwithstanding any other provision of law, general or special, any city or town that (i) between July 1, 2021, and July 1, 2022, provided by ordinance for the transition of the election of its mayor, governing body, or school board from being held at the May general election to the November general election or (ii) who had the same transition affected by a charter change enacted by the 2022 Session of the General Assembly may provide by ordinance for the return of such election to the May general election.**

INTRODUCED

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