

2005 SESSION

INTRODUCED

052722476

HOUSE BILL NO. 2344

Offered January 12, 2005

Prefiled January 11, 2005

A BILL for the relief of Laura B. Rodes.

Patron—Putney

Referred to Committee on Appropriations

Whereas, on November 2, 2004, Laura B. Rodes (Ms. Rodes) and Dr. Keith Jones (Dr. Jones) were contestants in the election for a seat on the Bedford County School Board to represent Bedford County's District 5; and

Whereas, according to the election results certified by the State Board of Elections, Dr. Jones received 1,712 votes and Ms. Rodes received 1,711 votes; and

Whereas, Ms. Rodes lost the election by one vote, which amounted to a margin of less than one-half percent of the total votes cast; and

Whereas, pursuant to § 24.2-801 of the Code of Virginia, Ms. Rodes petitioned the Circuit Court of Bedford County for a recount; and

Whereas, the complexity of the recount procedure required Ms. Rodes to obtain legal representation; and

Whereas, the recount of the votes reached same one-vote margin of victory; and

Whereas, Ms. Rodes incurred legal fees totaling \$1,500 resulting from the legal representation she obtained; and

Whereas, subsection E of § 24.2-802 of the Code of Virginia provides that the costs of a recount shall be assessed against the county or city comprising the election district when there is between the candidate apparently elected and the candidate petitioning for the recount a difference of not more than one-half percent of the total votes cast for the two candidates; and

Whereas, pursuant to this code provision, the costs of the recount were assessed against Bedford County; and

Whereas, the costs for the recount did not include the attorneys' fees incurred by Ms. Rodes; and

Whereas, Laura B. Rodes has no other means to obtain adequate relief except by this body; now, therefore,

Be it enacted by the General Assembly of Virginia:

1. § 1. *That there is hereby appropriated from the general fund of the state treasury the sum of \$1,500 for the relief of Laura B. Rodes, to be paid by check issued by the State Treasurer on warrant of the Comptroller upon execution by Laura B. Rodes of a release and waiver forever releasing (i) the Commonwealth or any agency, instrumentality, officer, employee, or political subdivision thereof; and (ii) all other parties of interest from any present or future claims she may have against such enumerated parties in connection with the aforesaid occurrence.*

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HB2344