

Department of Planning and Budget 2010 Fiscal Impact Statement

1. Bill Number: HB450S1

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|-----------------|--------------------------|--------------|-------------------------------------|------------|--------------------------|-----------|
| House of Origin | <input type="checkbox"/> | Introduced | <input type="checkbox"/> | Substitute | <input type="checkbox"/> | Engrossed |
| Second House | <input type="checkbox"/> | In Committee | <input checked="" type="checkbox"/> | Substitute | <input type="checkbox"/> | Enrolled |

2. Patron: Ware, R.L.

3. Committee: Privileges and Elections

4. Title: Elections; appointments to fill vacancies

5. Summary: Requires that special elections to fill vacancies in local offices occurring within 120 days prior to a general election shall be held no later than the second ensuing general election. Persons appointed to serve the remainder of a term due to vacancy shall exercise all powers of the elected office. Affirms that votes cast prior to July 1, 2010, by persons duly appointed to fill a vacancy, including votes appropriating money in excess of \$500, imposing taxes, or authorizing the borrowing of moneys, are validated and confirmed as the lawful vote of an elected member of the governing body. Although in conflict with a recent opinion of the Attorney General, the amendments are consistent with case law and an earlier opinion of the Attorney General.

6. Fiscal Impact Estimates: There is no fiscal impact.

7. Budget Amendment Necessary: No

8. Fiscal Implications: None

9. Specific Agency or Political Subdivisions Affected: State Board of Elections, local government

10. Technical Amendment Necessary: No

11. Other Comments: None

Date: 3/10/2010 dpb

Document: <http://dpb.virginia.gov/efis/fistemplate.doc>