

# 2017 SESSION

INTRODUCED

17104186D

## HOUSE BILL NO. 2364

Offered January 16, 2017

A BILL to amend and reenact § 24.2-236 of the Code of Virginia, relating to constitutional officers; automatic suspension upon conviction of felony.

Patrons—Heretick, Anderson, Boysko, James, Jones, Kory, Levine, Plum and Simon; Senators: Peake and Spruill

Referred to Committee on Privileges and Elections

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

1. That § 24.2-236 of the Code of Virginia is amended and reenacted as follows:

#### § 24.2-236. Suspension from office pending hearing and appeal.

In the event of a judicial proceeding under §§ 24.2-231, 24.2-232, 24.2-233, or 24.2-234, the circuit court may enter an order suspending the officer pending the hearing. *Any constitutional officer convicted of a felony under the laws of any state or the United States shall be automatically suspended upon such conviction, regardless of any appeals, pleadings, delays, or motions.* The court may, in its discretion, continue the suspension until the matter is finally disposed of in the Supreme Court or otherwise. During the suspension the court may appoint some suitable person to act in the officer's place. The officer's compensation shall be withheld and kept in a separate account and paid to him if and when the judicial proceedings result in his favor. Otherwise, it shall be paid back to the county, city, town, or State Treasurer who paid it.

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