

VIRGINIA ACTS OF ASSEMBLY -- 2018 SESSION

CHAPTER 732

An Act to amend and reenact § 15.2-1644 of the Code of Virginia, relating to removal of county courthouse.

[H 1546]

Approved March 30, 2018

Be it enacted by the General Assembly of Virginia:

1. That § 15.2-1644 of the Code of Virginia is amended and reenacted as follows:

§ 15.2-1644. Petition for removal of county courthouse; writ of election.

A. Whenever a number of voters equal to at least one third of the voters of a county registered in the county on the January 1 preceding filing of the petition, petition the circuit court of such county, or whenever the governing body of any county by resolution duly adopted requests the circuit court for such county, for an election in such county on the question of the removal of the courthouse to one or more places specified in the petition or resolution, such court shall issue a writ of election in accordance with Article 5 (§ 24.2-681 et seq.) of Chapter 6 of Title 24.2, which shall fix the day of holding such election. Such petition shall also state the amount to be appropriated by the board of supervisors for the purchase of land, unless the land is to be donated, and for the erection of necessary buildings and improvements at the new location.

B. If the courthouse is used before and after removal for any city as well as for the county, then the petition shall be signed by a number of voters equal to at least one-third of the total number of voters registered in the locality on the January 1 preceding filing of the petition. The registered voters of such city shall be eligible to sign the petition. The petition shall state the amounts to be appropriated by both the county and city. The voters of such city shall be eligible to vote in any election on the question of relocating the courthouse. The court shall issue a writ of election to such city the same as issued to and for the county.

The votes of such city voters shall be treated as if they were cast by qualified voters of the county for the purposes of these sections (§§ 15.2-1644 through 15.2-1654).

C. In the case of the removal of a county courthouse that is not located in a city or town, and *that* is not being relocated to a city or town, such removal shall not require a petition or approval by the voters. *However, this subsection shall not apply to the removal or relocation of any county courthouse, whether located on county or city property, that is entirely surrounded by a city, and any such courthouse shall be removed or relocated only in accordance with the provisions of subsections A and B.*