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HOUSE BILL NO. 541

Offered January 8, 2020

Prefiled January 5, 2020

A BILL to amend and reenact § 24.2-102 of the Code of Virginia, relating to Department of Elections; limitation on gubernatorial appointments.

Patron—Carr

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:**1. That § 24.2-102 of the Code of Virginia is amended and reenacted as follows:****§ 24.2-102. Appointment; terms; Commissioner of Elections; prohibited activities.**

A. The State Board of Elections is continued and shall consist of three members appointed by the Governor from the qualified voters of the Commonwealth, subject to confirmation by the General Assembly. In the appointment of the Board, representation shall be given to each of the political parties having the highest and next highest number of votes in the Commonwealth for Governor at the last preceding gubernatorial election. Two Board members shall be of the political party which cast the highest number of votes for Governor at that election. When the Governor was not elected as the candidate of a political party, representation shall be given to each of the political parties having the highest and next highest number of members of the General Assembly at the time of the appointment and two Board members shall be of the political party having the highest number of members in the General Assembly. Each political party entitled to an appointment may make and file recommendations with the Governor for the appointment. Its recommendations shall contain the names of at least three qualified voters of the Commonwealth.

Board members shall serve four-year terms beginning February 1, 1995, and each fourth year thereafter. Vacancies shall be filled for the unexpired terms. No member shall be eligible for more than two successive four-year terms. A member appointed for an unexpired term may be appointed for the two succeeding four-year terms.

B. The Governor shall appoint *to the Department of Elections only* a Commissioner of Elections, who shall receive the salary fixed by law, *and no other appointees or employees*. The Commissioner of Elections may employ the personnel required to carry out the duties imposed by the State Board of Elections.

C. No member of the Board shall be eligible to offer for or hold an office to be filled in whole or in part by qualified voters in the Commonwealth. If a member resigns to offer for or hold such office, the vacancy shall be filled as provided in this section.

No member of the Board shall serve as the chairman of a state, local, or district level political party committee or as a paid worker in the campaign of a candidate for nomination or election to an office filled by election in whole or in part by qualified voters in the Commonwealth.

INTRODUCED

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