

Department of Planning and Budget 2023 Fiscal Impact Statement

1. Bill Number: HB2289

House of Origin ☐ Introduced ☐ Substitute ☒ Engrossed

Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Williams

3. Committee: Privileges and Elections

4. Title: Procedure for removal of elected and certain appointed officers by courts.

5. Summary: Sets out the procedure by which, and clarifies the reasons for which, an elected officer or officer who has been appointed to fill an elective office may be removed from office. The bill requires, among other things, that the general registrar review the petition and determine its sufficiency in accordance with the uniform standards approved by the State Board of Elections and that the attorney for the Commonwealth review the petition to determine if valid grounds exist to remove the officer. If the attorney for the Commonwealth is the elected official who is subject to the removal petition, the Chief Justice of the Supreme Court of Virginia is tasked with appointing an alternate attorney for the Commonwealth. This bill is a recommendation of the Boyd-Graves Conference.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary, no state fiscal impact.

8. Fiscal Implications: The proposed legislation is not expected to have a fiscal impact on the Department of Elections.

Although this bill could lead to additional hearings in the circuit courts, it is expected that any additional hearings could be accommodated with current resources.

9. Specific Agency or Political Subdivisions Affected: Virginia Department of Elections, State Board of Elections, General Registrars, and circuit courts.

10. Technical Amendment Necessary: No.

11. Other Comments: This version of the bill is similar, but not identical, to SB1431E.

February 7, 2023