

LD8417376

## HOUSE BILL NO. 1471

House Amendments in [ ] — January 27, 1995

A *BILL to amend and reenact §§ 15.1-50.4 and 22.1-30 of the Code of Virginia, relating to persons eligible to serve on local school boards.*

Patron—Murphy

Referred to Committee on Counties, Cities and Towns

**Be it enacted by the General Assembly of Virginia:****1. That §§ 15.1-50.4 and 22.1-30 of the Code of Virginia are amended and reenacted as follows:**

§ 15.1-50.4. Certain officers not to hold more than one office.

A. Pursuant to Article VII, Section 6 of the Constitution of Virginia, no person holding the office of treasurer, sheriff, attorney for the Commonwealth, clerk of the court in the office of which deeds are recorded, commissioner of the revenue, supervisor, councilman, mayor, board chairman, or other member of the governing body of any county, city or town shall hold more than one such office at the same time.

B. Subsection A shall not be construed to prohibit:

1. A commissioner of the revenue of a county from serving as appointed commissioner of the revenue of a town located in the county;

2. A treasurer of a county from serving as appointed treasurer of a town located in the county;

3. A deputy sheriff of a county from serving as appointed town sergeant of a town located in the county;

4. A person from serving simultaneously as an assistant attorney for the Commonwealth in the City of Winchester and Frederick County; ~~or~~

5. A person from serving as attorney for the Commonwealth for Bland County and assistant attorney for the Commonwealth of Wythe County; *or*

6. *The election of deputies of constitutional officers to school board membership, consistent with federal law and regulation.*

§ 22.1-30. Certain officers may not act on school board or serve as tie breaker.

A. No state, county, city or town officer, no deputy of any such officer, no member of the governing body of a county, city or town, no employee of a school board, and no father, mother, brother, sister, spouse, son, daughter, son-in-law, daughter-in-law, sister-in-law or brother-in-law of a member of the county governing body may, during his term of office, be appointed as a member of the school board for such county, city or town or as tie breaker for such school board except:

1. local superintendents of public welfare,

2. commissioners in chancery,

3. commissioners of accounts,

4. registrars of vital records and health statistics,

5. notaries public,

6. clerks and employees of the federal government in the District of Columbia,

7. medical examiners,

8. officers and employees of the District of Columbia,

9. in Northumberland County, oyster inspectors,

10. in Lunenburg County, members of the county library board and members of the board of public welfare,

11. auxiliary deputy sheriffs and auxiliary police officers receiving less than five dollars in annual compensation,

12. members of the town councils serving towns within Craig, Giles and Wise Counties, and

13. public defenders.

[ *B. Nothing in this section shall be construed to prohibit the election of deputies of constitutional officers to school board membership, consistent with federal law and regulation.* ]

ENGROSSED

HB1471E