

LD2117198

HOUSE BILL NO. 534

Offered January 24, 1994

A BILL to amend and reenact §§ 22.1-57.2 and 22.1-57.4 of the Code of Virginia, relating to referenda on the direct election of school board members.

Patrons—Davies and Way

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:**1. That §§ 22.1 57.2 and 22.1-57.4 of the Code of Virginia are amended and reenacted as follows:**

§ 22.1-57.2. Referendum on direct election of school board members by the voters.

The registered voters of any such county, city, or town may, by petition filed with the circuit court thereof, ask that a referendum be held on the question of whether the members of the school board of the county, city, or town shall be elected directly by the voters. The petition shall be signed by registered voters equal in number to at least ten percent of the number registered in such locality on the January 1 preceding its filing. *The governing body of any such county, city, or town may, by ordinance, petition the circuit court for such a referendum.* Upon the filing of *æither such* petition, the circuit court shall order and require the election officials at the next general election to open the polls and take the sense of the voters therein on that question. The petition shall be filed with the court not less than ninety days prior to the general election. The clerk of the court shall cause notice of the referendum to be published once a week for the three consecutive weeks prior to the referendum in a newspaper having general circulation in the county, city, or town, and a copy of the notice shall be posted during the same time on the door of the courthouse of the county or city, or of the county within which the town is located. The question on the ballot shall be:

"Shall the method of selecting the school board be changed from appointment by the governing body (or the school board selection commission, whichever is applicable) to direct election by the voters?"

☐ YES

☐ NO"

The election shall be held and the results certified as provided in § 24.2-684.

§ 22.1-57.4. Referendum to revert to appointment of the school board.

A. By the same procedure and under the same requirements as provided in § 22.1-57.2, the registered voters *or governing body* of any county, city, or town which selects members of the school board by direct election of the voters may petition for, and the circuit court shall so order, a referendum on the question of changing from direct election of the school board to appointment of school board members by the governing body or, if the petition so states in the case of a county, by a school board selection commission. The question on the ballot shall be:

"Shall the method of selecting the school board be changed from direct election by the voters to appointment by the governing body (or, if the petition in a county so requests, a school board selection commission)?"

☐ YES

☐ NO"

B. If a majority of the qualified voters voting in such referendum vote in favor of changing the method of selecting school board members to appointment by the governing body or by a school board selection commission, as the case may be, the terms of the school board members in office through direct election shall terminate on June 30 following the referendum. A school board selection commission shall be appointed pursuant to § 22.1-35 if a majority have voted in the referendum for that selection method. The members of the appointed school board shall be appointed for the terms and in the manner provided in the article of this chapter or the chapter of Title 15.1 applicable to the county, city, or town in which the referendum has been held.

INTRODUCED

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