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## HOUSE JOINT RESOLUTION NO. 157

Offered January 25, 1994

*Proposing amendments to Sections 2 and 3 of Article IV and Sections 4 and 5 of Article VII of the Constitution of Virginia, relating to the conduct of elections for members of the House of Delegates and Senate, county and city officers, and county, city, and town governing bodies on Saturday and Sunday.*

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Patron—Wagner (By Request)

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Referred to Committee on Privileges and Elections

RESOLVED by the House of Delegates, the Senate concurring, a majority of the members elected to each house agreeing, That the following amendments to the Constitution of Virginia be, and the same hereby are, proposed and referred to the General Assembly at its first regular session held after the next general election of members of the House of Delegates for its concurrence in conformity with the provisions of Section 1 of Article XII of the Constitution of Virginia, namely:

Amend Sections 2 and 3 of Article IV and Sections 4 and 5 of Article VII of the Constitution of Virginia as follows:

## ARTICLE IV

## LEGISLATURE Section 2. Senate.

The Senate shall consist of not more than forty and not less than thirty-three members, who shall be elected quadrennially by the voters of the several senatorial districts on the ~~Tuesday~~ ~~succeeding the first Monday~~ ~~Saturday and following Sunday~~ in November. Section 3. House of Delegates.

The House of Delegates shall consist of not more than one hundred and not less than ninety members, who shall be elected biennially by the voters of the several house districts on the ~~Tuesday~~ ~~succeeding the first Monday~~ ~~Saturday and following Sunday~~ in November.

## ARTICLE VII

## LOCAL GOVERNMENT Section 4. County and city officers.

There shall be elected by the qualified voters of each county and city a treasurer, a sheriff, an attorney for the Commonwealth, a clerk, who shall be clerk of the court in the office of which deeds are recorded, and a commissioner of revenue. The duties and compensation of such officers shall be prescribed by general law or special act.

Regular elections for such officers shall be held on ~~Tuesday~~ ~~after the first Monday~~ ~~Saturday and following Sunday~~ in November. Such officers shall take office on the first day of the following January unless otherwise provided by law and shall hold their respective offices for the term of four years, except that the clerk shall hold office for eight years.

The General Assembly may provide for county or city officers or methods of their selection, including permission for two or more units of government to share the officers required by this section, without regard to the provisions of this section, either (1) by general law to become effective in any county or city when submitted to the qualified voters thereof in an election held for such purpose and approved by a majority of those voting thereon in each such county or city, or (2) by special act upon the request, made after such an election, of each county or city affected. No such law shall reduce the term of any person holding an office at the time the election is held. A county or city not required to have or to elect such officers prior to the effective date of this Constitution shall not be so required by this section.

The General Assembly may provide by general law or special act for additional officers and for the terms of their office. Section 5. County, city, and town governing bodies.

The governing body of each county, city, or town shall be elected by the qualified voters of such county, city, or town in the manner provided by law.

If the members are elected by district, the district shall be composed of contiguous and compact territory and shall be so constituted as to give, as nearly as is practicable, representation in proportion to the population of the district. When members are so elected by district, the governing body of any county, city, or town may, in a manner provided by law, increase or diminish the number, and change the boundaries, of districts, and shall in 1971 and every ten years thereafter, and also whenever the boundaries of such districts are changed, reapportion the representation in the governing body among the districts in a manner provided by law. Whenever the governing body of any such unit shall fail to perform the duties so prescribed in the manner herein directed, a suit shall lie on behalf of any citizen thereof to compel performance by the governing body.

Unless otherwise provided by law, the governing body of each city or town shall be elected on the

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**60** ~~second Tuesday~~ *first Saturday and following Sunday* in ~~June~~ *May* and take office on the first day of the  
**61** following ~~September~~ *July*. Unless otherwise provided by law, the governing body of each county shall be  
**62** elected on the ~~Tuesday after the first Monday~~ *Saturday and following Sunday* in November and take  
**63** office on the first day of the following January.