

VIRGINIA ACTS OF ASSEMBLY -- 1998 SESSION

CHAPTER 187

An Act to amend and reenact §§ 24.2-115 and 24.2-636 of the Code of Virginia, relating to officers of election; instruction on duties and use of voting equipment.

[H 1196]

Approved March 30, 1998

Be it enacted by the General Assembly of Virginia:

1. That §§ 24.2-115 and 24.2-636 of the Code of Virginia are amended and reenacted as follows:

§ 24.2-115. Appointment, qualifications, and term of officers of election.

Each electoral board at its regular meeting in the first week of February shall appoint officers of election. Their terms of office shall begin on March 1 following their appointment and continue for one year or until their successors are appointed.

Not less than three competent citizens shall be appointed for each precinct and, insofar as practicable, each officer shall be a qualified voter of the precinct he is appointed to serve, but in any case a qualified voter of the city or county. In appointing the officers of election, representation shall be given to each of the two political parties having the highest and next highest number of votes in the Commonwealth for Governor at the last preceding gubernatorial election. The representation of the two parties shall be equal at each precinct having an equal number of officers and shall vary by no more than one at each precinct having an odd number of officers. If possible, officers shall be appointed from lists of nominations filed by the political parties entitled to appointments. The party shall file its nominations with the secretary of the electoral board at least ten days before February 1 each year.

Officers of election shall serve for all elections held in their respective precincts during their terms of office. However, for a primary election involving only one political party, persons representing the political party holding the primary shall serve as the officers of election in any county or city in which the political party has submitted a list of nominations as provided above.

The electoral board shall designate one officer as the chief officer of election and one officer as the assistant for each precinct. The officer designated as the assistant for a precinct, whenever practicable, shall not represent the same political party as the chief officer for the precinct.

The electoral board shall instruct each chief officer and assistant in his duties not less than three nor more than ~~twenty-one~~ *thirty* days before each election. Each electoral board may instruct each officer of election in his duties not less than three nor more than thirty days before each November general election.

If an officer of election is unable to serve at any election during his term of office, the electoral board may at any time appoint a substitute who shall hold office and serve for the unexpired term.

The secretary of the electoral board shall prepare a list of the officers of election which shall be available for inspection and posted in the general registrar's office prior to March 1 each year.

§ 24.2-636. Instruction as to use of equipment.

No fewer than three nor more than ~~fourteen~~ *thirty* days before each election, the electoral board shall instruct, or cause to be instructed, on the use of the equipment and his duties in connection therewith, each officer of election appointed to serve in the election who has not previously been so instructed. The board shall not permit any person to serve as an officer who is not fully trained to conduct an election properly with the equipment. This section shall not be construed to prevent the appointment of a person as an officer of election to fill a vacancy in an emergency.