CHAPTER 74

An Act to amend and reenact Chapter 744 of the Acts of Assembly of 1994 carried by reference in the Code of Virginia as § 22.1-57.3:1, relating to staggered terms of elected school boards in certain counties.

[S 191]

Approved March 4, 2002

Be it enacted by the General Assembly of Virginia:

1. That Chapter 744 of the Acts of Assembly of 1994 carried by reference in the Code of Virginia as § 22.1-57.3:1 is amended and reenacted as follows:

§ 22.1-57.3:1. Staggered terms of elected school boards in certain counties.

A. The provisions of this ~~section~~ *subsection* apply only to Loudoun, Pulaski and Rockbridge Counties.

Following a referendum in which the qualified voters approve a change to an elected school board, the school board shall be elected as provided in § 22.1-57.3 except that the terms of school board members shall be staggered as provided in this section.

The initial election of the school board shall be held at the first November general election in an odd-numbered year following the referendum, and the entire school board shall be elected at the initial election.

At the initial election, (i) if the school board has an even number of members, half of the successful candidates shall be elected for four-year terms and half of the successful candidates shall be elected for two-year terms and (ii) if the school board has an odd number of members, the smallest number of successful candidates which creates a majority of the board shall be elected for four-year terms and the remaining successful candidates shall be elected for two-year terms. Assignment of the individual terms of members shall be determined by lot by the electoral board of the county at its meeting to ascertain the results of the election and immediately upon certification of the results of the election.

Thereafter, all members shall be elected for four-year terms and the school board elections shall be conducted biennially for staggered terms.

B. The provisions of this subsection apply only to Bath County.

Pursuant to the referendum in which the qualified voters approved a change to an elected school board, the school board shall be elected as provided in § 22.1-57.3 except that the terms of school board members shall be staggered as provided in this subsection.

At the November 2003 general election, three members of the school board shall be elected for four-year terms and two members of the school board shall be elected for two-year terms. Assignment of the individual terms of members shall be determined by lot by the electoral board of the County at its meeting to ascertain the results of the election and immediately upon certification of the results of the election.

Thereafter, all members shall be elected for four-year terms and the school board elections shall be conducted biennially for staggered terms.

2. That the provisions of subsection B of § 22.1-57.3:1 shall be applicable in Bath County only after adoption of a local ordinance to this effect by the County Board of Supervisors.