

2011 SESSION

INTRODUCED

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HOUSE BILL NO. 2121

Offered January 12, 2011

Prefiled January 12, 2011

A *BILL to amend and reenact § 16.1-69.16 of the Code of Virginia, relating to substitute judges; residence.*

Patron—Villanueva

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 16.1-69.16 of the Code of Virginia is amended and reenacted as follows:

§ 16.1-69.16. Residence requirements.

A. Every judge ~~or substitute judge~~ of a district court shall, during his term of office, reside within the boundaries of the district in which he serves as set out in § 16.1-69.6, *and every substitute judge of a district court shall reside within the boundaries of the district in which he serves or within an adjoining district*; provided, that judges and substitute judges in office on January 1, 1977, or who are otherwise eligible may continue in office and shall be eligible for reappointment or reelection to successive terms in accordance with the provisions of § 16.1-69.10.

B. Notwithstanding any provision of law to the contrary, the residency requirement set out herein shall not apply to any judge whose residence prior to July 1, 1977, is outside the boundaries of a new district created by § 16.1-69.6, if such judge is a resident in the geographical area which encompassed the prior district. This provision shall also apply to any subsequent term for which he is elected.

C. When the boundary of a judicial district is changed to create a new judicial district, any duly elected or appointed judge of the existing judicial district may continue to serve as judge of the new judicial district if he resides therein.

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