

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 24.2-311 of the Code of Virginia, relating to effective date of decennial*
3 *redistricting measures.*

4 [H 1151]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 24.2-311 of the Code of Virginia is amended and reenacted as follows:**8 § 24.2-311. Effective date of decennial redistricting measures; elections following decennial
9 redistricting.

10 A. Legislation enacted to accomplish the decennial redistricting of congressional and General
11 Assembly districts required by Article II, Section 6 of the Constitution of Virginia shall take effect
12 immediately. Members of Congress and the General Assembly in office on the effective date of the
13 decennial redistricting legislation shall complete their terms of office. The elections for their successors
14 shall be held at the November general election next preceding the expiration of the terms of office of
15 the incumbent members and shall be conducted on the basis of the districts set out in the legislation to
16 accomplish the decennial redistricting. *However, (i) if the decennial redistricting of congressional*
17 *districts has not been enacted and approved for implementation pursuant to § 5 of the United States*
18 *Voting Rights Act of 1965 before January 1 of the year of the election for statewide office, the*
19 *previously enacted congressional districts shall remain in effect for the purpose of meeting the petition*
20 *signature requirements set out in §§ 24.2-506, 24.2-521, and 24.2-543; and (ii) any reference on a*
21 *petition to the usual primary date of the second Tuesday in June shall not be cause to invalidate the*
22 *petition even though the date of the primary may be altered by law.*

23 B. Ordinances adopted by local governing bodies to accomplish the decennial redistricting of districts
24 for county, city, and town governing bodies required by Article VII, Section 5 of the Constitution of
25 Virginia shall take effect immediately. Members of county, city, and town governing bodies in office on
26 the effective date of a decennial redistricting measure shall complete their terms of office. The elections
27 for their successors shall be held at the general election next preceding the expiration of the terms of
28 office of the incumbent members and shall be conducted on the basis of the districts set out in the
29 measures to accomplish the decennial redistricting.

30 C. If a vacancy in any such office occurs after the effective date of a decennial redistricting measure
31 and a special election is required by law to fill the vacancy, the vacancy shall be filled from the district
32 in the decennial redistricting measure which most closely approximates the district in which the vacancy
33 occurred.

34 D. If a decennial redistricting measure adopted by a local governing body adds one or more districts
35 and also increases the size of the governing body, an election for the additional governing body member
36 or members to represent the additional district or districts for the full or partial term provided by law
37 shall be held at the next November general election in any county or in any city or town that regularly
38 elects its governing body in November pursuant to § 24.2-222.1, or at the next May general election in
39 any other city or town, which occurs at least 120 days after the effective date of the redistricting
40 measure.

41 E. In the event of a conflict between the provisions of a decennial redistricting measure and the
42 provisions of the charter of any locality, the provisions of the redistricting measure shall be deemed to
43 override the charter provisions to the extent required to give effect to the redistricting plan.

44 **2. That an emergency exists and this act is in force from its passage.**

ENROLLED

HB151ER