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HOUSE BILL NO. 1200

AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the House Committee on Privileges and Elections)
(Patron Prior to Substitute—Delegate Minchew)
House Amendments in [] — February 10, 2014

A BILL to amend the Code of Virginia by adding a section numbered 24.2-500.1, relating to qualifications of candidates; residency of candidates for General Assembly.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 24.2-500.1 as follows:

§ 24.2-500.1. Residency as qualification for candidacy.

A person who seeks to qualify in a special election as a candidate for the General Assembly and establishes residency in a General Assembly district in which he was not previously a resident within 60 days prior to the date upon which the statement of qualification is due for the office shall be allowed to use his new domicile to serve as his residency for purposes of candidate qualification for that office upon a finding of the circuit court having jurisdiction in the locality of the claimed domicile that there is clear and convincing evidence that he had the intent to abandon his prior domicile and the intent to make his new domicile his permanent residence regardless of the outcome of the election. [Immediately upon the filing of a request for such determination, the clerk of court shall immediately bring the matter to the attention of the chief judge of the court for scheduling and the court shall hear the matter not later than five days after filing.] The provisions of this section shall not be applicable in the year a decennial redistricting law is enacted.

ENGROSSED

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