VIRGINIA ACTS OF ASSEMBLY -- 2019 SESSION

CHAPTER 777

An Act to amend and reenact §§ 24.2-304.3, 24.2-306, and 30-264 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 24.2-103.1, relating to redistricting; Geographic Information System maps required; review by the Department of Elections.

[H 2760]

Approved March 22, 2019

Be it enacted by the General Assembly of Virginia:
1. That §§ 24.2-304.3, 24.2-306, and 30-264 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered 24.2-103.1 as follows:
   § 24.2-103.1. Duties of Department of Elections related to redistricting.
   A. Upon receipt of any ordinance and Geographic Information System (GIS) map sent pursuant to § 24.2-304.3 or 24.2-306, the Department shall promptly review the ordinance and map and compare the boundaries contained within with the information in the voter registration system in order to ensure voters have been assigned to the correct districts. The Department shall notify the locality of any corrections that may be necessary.
   B. The Department shall maintain and make available on its official website maps showing the current election district and precinct boundaries of each county and city.
   § 24.2-304.3. Recording reapportionment ordinance; notice requirements.
   A copy of the ordinance reapportioning representation in the governing body of a county, city, or town, including a description of the boundaries and a map showing the boundaries of the districts or wards, shall be recorded in the official minutes of the governing body.
   The clerk of the county, city, or town shall send a certified copy of the ordinance, including a description of the boundaries and a *Geographic Information System (GIS)* map showing the boundaries of the districts or wards, to the local electoral board, *the* Secretary of the Commonwealth, ~~State Board~~ *the Department* of Elections, and *the* Division of Legislative Services. *Any county, city, or town that does not have GIS capabilities may request the Department of Elections to create on its behalf a GIS map showing the boundaries of the districts or wards as set out in the ordinance, and the Department of Elections shall create such a map.*
   § 24.2-306. Changes not to be enacted within 60 days of general election; notice requirements.
   A. No change in any local election district, precinct, or polling place shall be enacted within 60 days next preceding any general election. Notice shall be published prior to enactment in a newspaper having general circulation in the election district or precinct once a week for two successive weeks. The published notice shall state where descriptions and maps of proposed boundary and polling place changes may be inspected.
   B. Notice of any adopted change in any election district, town, precinct, or polling place other than in the location of the office of the general registrar shall be mailed to all registered voters whose election district, town, precinct, or polling place is changed at least 15 days prior to the next general, special, or primary election in which the voters will be voting in the changed election district, town, precinct, or polling place. Notice of a change in the location of the office of the general registrar shall be given by posting on the official website of the county or city, by posting at not less than 10 public places, or by publication once in a newspaper of general circulation in the county or city within not more than 21 days in advance of the change or within seven days following the change.
   C. Each county, city, and town shall comply with the applicable requirements of law, including §§ 24.2-304.3 and 30-264, and send copies of enacted changes*, including a Geographic Information System (GIS) map showing the new boundaries of the districts or precincts,* to the local electoral board, the ~~State Board~~ *Department*, and the Division of Legislative Services. *Any county, city, or town that does not have GIS capabilities may request the Department of Elections to create on its behalf a GIS map showing the boundaries of the new districts or precincts, and the Department of Elections shall create such a map.*
   § 30-264. Staff to Joint Reapportionment Committee; census liaison.
   A. The Division of Legislative Services *(the Division)* shall serve as staff to the Joint Reapportionment Committee. The Director of the Division, or his designated representative, shall serve as the state liaison with the United States Bureau of the Census on matters relating to the tabulation of the population for reapportionment purposes pursuant to United States Public Law 94-171. The governing bodies, electoral boards, and registrars of every county and municipality shall cooperate with the Division ~~of Legislative Services~~ in the exchange of all statistical and other information pertinent to preparation for the census.
   B. The Division shall maintain the current election district and precinct boundaries of each county

and city as a part of the General Assembly's computer-assisted mapping and redistricting system. Whenever a county or city governing body adopts an ordinance ~~which~~ *that* changes an election district or precinct boundary, the local governing body shall provide a copy of its ordinance, along with *Geographic Information System (GIS)* maps and other evidence documenting the boundary, to the Division.

C. The Division shall prepare and maintain a written description of the boundaries for the congressional, senatorial, and House of Delegates districts set out in Article 2 (§ 24.2-302 et seq.) of Chapter 3 of Title 24.2. The descriptions shall identify each district boundary, insofar as practicable, by reference to political subdivision boundaries or to physical features such as named roads and streets. The Division shall furnish to each general registrar the descriptions for the districts dividing his county or city. The provisions of Article 2, including the statistical reports referred to in Article 2, shall be controlling in any legal determination of a district boundary.