

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 3.01.1 and § 3.04, as amended, of Chapter 116 of the Acts of Assembly*
3 *of 1948, which provided a charter for the City of Richmond, relating to runoff elections.*

4 [S 1193]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 3.01.1 and § 3.04, as amended, of Chapter 116 of the Acts of Assembly of 1948 are**
8 **amended and reenacted as follows:**

9 § 3.01.1 Election of mayor.

10 On the first Tuesday after the first Monday in November 2004, and every four years thereafter, a
11 general election shall be held to elect the mayor. All persons seeking to have their names appear on the
12 ballot as candidates for mayor must comply with the provisions of Chapter 5 (§ 24.2-500 et seq.) of
13 Title 24.2 of the Code of Virginia and must file with their declaration of candidacy a petition containing
14 a minimum of 500 signatures of qualified voters of the city, to include at least 50 qualified voters from
15 each of the nine election districts. However, these filing requirements shall only apply to the initial,
16 general election and not to any runoff election that may subsequently become necessary.

17 In the general election, the person receiving the most votes in each of at least five of the nine city
18 council districts shall be elected mayor. Should no one be elected, then the two persons receiving the
19 highest total of votes city wide shall be considered nominated for a runoff election. The runoff election
20 shall be held on the sixth Tuesday after the November general election between the two nominees. The
21 date of any such runoff election shall, as soon as possible, be posted at the courthouse and published at
22 least once in a newspaper of general circulation in the city. In any such runoff election, write-in votes
23 shall not be counted, and the person receiving the most votes in each of at least five of the nine city
24 council districts shall be elected mayor. In the event the two candidates in a runoff election shall each
25 win an equal number of council districts, the candidate receiving the most votes city wide shall be
26 elected mayor. An elected term shall run four years. Anyone eligible to serve on city council may serve
27 as mayor, except no one may be elected mayor for three consecutive full terms, and no one may
28 simultaneously hold the office of mayor and any other elected position.

29 *The procedures and deadlines for voter registration, applying for an absentee ballot, and casting an*
30 *absentee ballot for any runoff election shall be as provided in Chapters 4 (§ 24.2-400 et seq.), 4.1*
31 *(§ 24.2-451 et seq.), and 7 (§ 24.2-700 et seq.) of Title 24.2 of the Code of Virginia for general*
32 *elections.*

33 § 3.04. Vacancies in office of councilman or mayor.

34 A. Vacancies in the office of councilman, from whatever cause arising, shall be filled in accordance
35 with general law applicable to interim appointments and special elections, provided that, any provision
36 in the general law to the contrary notwithstanding, a special election may be called to fill any such
37 vacancy if the vacancy occurs more than one year prior to the expiration of the full term of the office to
38 be filled.

39 B. A vacancy in the office of mayor shall be filled by special election conducted according to the
40 rules herein provided for the general election and held within 60 days, but no sooner than 30 days, from
41 the date of the vacancy. Any runoff, should one be necessary, shall be held on the first Tuesday after
42 the fifth day following the date that voting machines used in the special election may be unsealed
43 pursuant to § 24.2-659 of the Code of Virginia or the third Tuesday following the special election,
44 whichever is later. However, if the date by which either the special election or possible runoff election
45 for the office of mayor must be conducted should fall within 60 days prior to a primary election or
46 general election, then the special or runoff election shall be held on the same day as the primary or
47 general election, if allowed by general law, or, if not allowed by general law, then the special election
48 shall be held on the first Tuesday after the fifth day following the date that voting machines used in the
49 primary or general election may be unsealed pursuant to § 24.2-659 of the Code of Virginia. Any runoff
50 that may be necessary shall be held on the first Tuesday after the fifth day following the date that the
51 voting machines used in the special election may be unsealed pursuant to § 24.2-659 of the Code of
52 Virginia or the third Tuesday following the special election, whichever is later. The president of the
53 council shall serve as acting mayor until a successor is elected.

54 *C. The procedures and deadlines for voter registration, applying for an absentee ballot, and casting*
55 *an absentee ballot for any runoff election as may be necessary after a special election for mayor shall*
56 *be as provided in Chapters 4 (§ 24.2-400 et seq.), 4.1 (§ 24.2-451 et seq.), and 7 (§ 24.2-700 et seq.) of*

57 *Title 24.2 of the Code of Virginia for general elections.*