

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 24.2-806 of the Code of Virginia, relating to contests of certain*
3 *elections; location of proceeding to contest.*

4 [S 1781]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 24.2-806 of the Code of Virginia is amended and reenacted as follows:**8 **§ 24.2-806. Contest of other primaries and elections.**

9 In a primary for the United States House of Representatives, the Virginia Senate, the House of
10 Delegates, or any county, city, town, or district office, or an election to any county, city, town, or
11 district office, the proceeding to contest shall be in the circuit court of the county or city ~~in which that~~
12 the challenged candidate ~~resides~~ *listed as his residency on his certificate of candidate qualification*. The
13 proceeding shall be before a special court composed of the chief judge of such circuit court and two
14 circuit court judges of circuits remote from the county or city ~~in which that~~ such candidate ~~resides~~ *listed*
15 *as his residency on his certificate of candidate qualification*, appointed by the Chief Justice of the
16 Supreme Court of Virginia, or, in the event of his inability to act, then by the next senior justice, who
17 shall at the time of appointment set the date for trial.

18 If the chief judge of the circuit court of the city or county ~~in which that~~ the candidate ~~resides~~ *listed*
19 *as his residency on his certificate of candidate qualification* is absent, unable to sit in the proceeding, or
20 recuses himself, the clerk of the court shall at once certify that fact to the Chief Justice. Then the Chief
21 Justice or the associate justice acting in his stead shall appoint a third judge, who shall be, if possible, a
22 judge of the same or an adjoining circuit.

ENROLLED

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