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HOUSE BILL NO. 2198

Offered January 13, 2021

Prefiled January 13, 2021

A *BILL to amend and reenact §§ 15.2-1400, 24.2-218, and 24.2-222 of the Code of Virginia, relating to local elections for governing bodies; qualification of voters.*

Patrons—Convirs-Fowler, Askew, Kory, Levine and Price

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:

1. That §§ 15.2-1400, 24.2-218, and 24.2-222 of the Code of Virginia are amended and reenacted as follows:

§ 15.2-1400. Governing bodies.

A. The qualified voters of every locality shall elect a governing body for such locality. The date, place, number, term, and other details of the election shall be as specified by law, general or special. Qualification for office is provided in *Article 4* (§ 15.2-1522 et seq.) of *Chapter 15*.

B. The governing body of every locality shall be composed of not fewer than three nor more than eleven members.

C. Chairmen, mayors, supervisors, and councilmen are subject to the prohibitions set forth in §§ 15.2-1534 and 15.2-1535.

D. A governing body may punish or fine a member of the governing body for disorderly behavior.

E. *Notwithstanding any other provision of law, general or special, in a locality that elects its governing body at large from the locality, any qualified voter of the locality shall be entitled to vote for the at-large candidates; in a locality that elects its governing body from districts or wards, only the qualified voters of a district or ward shall be entitled to vote for the candidates of that district or ward; and in a locality that elects its governing body from any combination of at-large and districts or wards, any qualified voter of the locality shall be entitled to vote for the at-large candidates and only the qualified voters of a district or ward shall be entitled to vote for the candidates of that district or ward.*

§ 24.2-218. Election and term of county supervisors.

A. The qualified voters of each county election district shall elect one or more supervisors at the general election in November 1995, and every four years thereafter for terms of four years, except as provided in § 24.2-219 or as provided by law for those counties having the optional form of government under the provisions of *Article 2* (§ 15.2-702 et seq.) of *Chapter 7* of *Title 15.2*.

B. *Notwithstanding any other provision of law, general or special, in a county that elects its supervisors at large from the county, any qualified voter of the county shall be entitled to vote for the at-large candidates; in a county that elects its supervisors from districts or wards, only the qualified voters of a district or ward shall be entitled to vote for the candidates of that district or ward; and in a county that elects its supervisors from any combination of at-large and districts or wards, any qualified voter of the county shall be entitled to vote for the at-large candidates and only the qualified voters of a district or ward shall be entitled to vote for the candidates of that district or ward.*

§ 24.2-222. Election and terms of mayor and council for cities and towns.

A. The qualified voters of each city and town shall elect a mayor, if so provided by charter, and a council for the terms provided by charter. *Notwithstanding any other provision of law, general or special, in a city or town that elects its council members at large from the city or town, any qualified voter of the city or town shall be entitled to vote for the at-large candidates; in a city or town that elects its council members from districts or wards, only the qualified voters of a district or ward shall be entitled to vote for the candidates of that district or ward; and in a city or town that elects its council members from any combination of at-large and districts or wards, any qualified voter of the city or town shall be entitled to vote for the at-large candidates and only the qualified voters of a district or ward shall be entitled to vote for the candidates of that district or ward.*

B. Except as provided in § 24.2-222.1, and notwithstanding any other provision of law, general or special: (i) any election of mayor or councilmen of a city or town whose charter provides for such elections at two-year or four-year intervals shall take place at the May general election of an even-numbered year and (ii) any election of mayor or councilmen of a city or town whose charter provides for such elections at one-year or three-year intervals shall take place at the general election in May of the years designated by charter. The persons so elected shall enter upon the duties of their offices on July 1 succeeding their election and remain in office until their successors have qualified.

INTRODUCED

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