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HOUSE BILL NO. 902**AMENDMENT IN THE NATURE OF A SUBSTITUTE**(Proposed by the Governor
on April 11, 2022)

(Patron Prior to Substitute—Delegate Avoli)

A *BILL* to allow for a referendum to be held at the November general election in 2023, relating to the removal of the Augusta County courthouse from the City of Staunton to Augusta County.

Be it enacted by the General Assembly of Virginia:

1. § 1. A. Notwithstanding the provisions of § 15.2-1655 of the Code of Virginia, Augusta County may hold a referendum at the November general election in 2023 on the removal of the Augusta County courthouse from the City of Staunton to Augusta County if plans are developed for (i) relocating to a newly constructed courthouse in Augusta County and (ii) either (a) the renovation and expansion of the current courthouse in the City of Staunton or (b) the construction of a new courthouse in the City of Staunton. Two sets of plans shall be prepared separately by two architects, duly licensed to practice architecture in the Commonwealth and selected by the judge designate in Case Numbers CL21002043-00 and CL2100500-00. Each set of plans shall:

1. Be schematic in nature;
2. Include a good faith estimate of all reasonable costs utilizing the same methodology in arriving at such estimates; and

3. Be made available to the public at least two months prior to the planned date of the referendum. If the proposed plan for renovation and expansion of the current courthouse in the City of Staunton or construction of a new courthouse in the City of Staunton requires acquisition of property, the appraised value of that property shall be included in the computation of the total cost for that option.

B. Upon submission of plans meeting the requirements of subsection A by the governing body to the clerk of the court, the court, by order entered of record in accordance with Article 5 (§ 24.2-681 et seq.) of Chapter 6 of Title 24.2 of the Code of Virginia, shall require the regular election officials of the county to open the polls and take the sense of the voters on the matter as herein provided.

C. Notwithstanding the provisions of §§ 15.2-1652 and 24.2-684 of the Code of Virginia, the election shall be by ballot that shall be prepared by the electoral board of the county and on which shall be printed the following:

"Under Virginia law, Augusta County must provide an adequate court facility for the Augusta County Courts. To accomplish that purpose:

[] Shall the county courthouse be relocated to Verona in Augusta County and constructed at a cost of \$ [insert estimated cost]?

or

[] Shall the county courthouse remain in the City of Staunton and be renovated and reconstructed at a cost of \$ [insert estimated cost]?"

D. The ballots shall be counted, returns made and canvassed as in other elections, and the results certified by the electoral board to the court ordering the election. The court shall enter an order proclaiming the results of the election and a duly certified copy of such order shall be transmitted to the governing body of the county. The governing body shall proceed to implement the plan certified as receiving the most votes in the election.

2. That each duly licensed architect, in preparing a set of plans pursuant to the provisions of this act, shall consider options that use technology to potentially reduce space requirements for record storage. Each such architect shall explore options for the shared use of facilities with the City of Staunton. Each such architect shall also develop an appropriate plan for the preservation of the existing courthouse in the City of Staunton, regardless of which plan is ultimately chosen, and the cost of such preservation shall be properly factored into each of the cost estimates printed on the ballot pursuant to subsection C of the first enactment of this act.

3. That the provisions of this act shall not become effective unless reenacted by the 2023 Session of the General Assembly.

HOUSE
SUBSTITUTE

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