

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 24.2-673 of the Code of Virginia, relating to certificates of election;*
3 *persons elected by write-in votes; exception for certain localities.*

4 [H 2443]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 24.2-673 of the Code of Virginia is amended and reenacted as follows:**8 **§ 24.2-673. Candidates having highest number of votes to receive certificate of election.**

9 *A. Except as provided in subsection B or in the case of a recount pursuant to the provisions of*
10 *Chapter 8 (§ 24.2-800 et seq.) of this title, in all elections for the choice of any officer, unless it is*
11 *otherwise expressly provided, the person having the highest number of votes for any office shall be*
12 *deemed to have been elected to such office and shall receive the certificate of election.*

13 *B. In an election for a local office in a locality with a population of no more than 4,000 persons, if*
14 *the person having the highest number of votes for the office is elected by write-in votes and is not*
15 *qualified to hold such office or declines to assume such office, the person having the second highest*
16 *number of votes shall be deemed to have been elected to such office and shall receive the certificate of*
17 *election. In the event that the person having the second highest number of votes is not qualified to hold*
18 *such office or declines to assume such office, the person having the next highest number of votes shall*
19 *be deemed to have been elected to such office and shall receive the certificate of election. In the event*
20 *that the person having the next highest number of votes is not qualified to hold such office or declines*
21 *to assume such office, a vacancy shall be declared and filled by special election.*

ENROLLED

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