VIRGINIA ACTS OF ASSEMBLY -- 1994 SESSION

CHAPTER 77

An Act relating to the 1994 general elections for members of the governing body in certain towns.

[H 698]

Approved March 10, 1994

Be it enacted by the General Assembly of Virginia:

1. ***§ 1. Notwithstanding any other provision of law to the contrary, when a town has been redistricted as a result of annexation and the redistricting occurred prior to the regularly scheduled May 3, 1994, general election for some or all of the members of the town's governing body, the May 1994 general election shall be conducted from the newly established districts so long as the redistricting measure was adopted prior to December 15, 1993.***

§ 2. Notwithstanding any other provision of law to the contrary, elections that would be held on May 3, 1994, for members of the governing body of any town which has been redistricted as a result of annexation, shall be delayed if the redistricting plan of such town is not pre-cleared by the Attorney General of the United States pursuant to Section 5 of the Voting Rights Act of 1965, as amended, on or before April 8, 1994, and shall be held as provided in this act, unless otherwise provided by order of a court of competent jurisdiction.

§ 3. In each such town, such election shall be held on the first Tuesday (i) that is more than sixty days after the Attorney General of the United States issues a letter that he interposes no objection to the redistricting plan submitted by the town; (ii) that is not the scheduled date of a primary election; and (iii) that is not within the sixty days before or the thirty-five days after a primary or general election.

§ 4. Independent candidates for such rescheduled election shall qualify in the manner provided by Article 2 (§ 24.2-505 et seq.) of Chapter 5 of Title 24.2 of the Code of Virginia and party nominees shall be nominated and certified at least thirty days before the new election date.

§ 5. All candidates shall file the statements required by Article 1 (§ 24.2-500 et seq.) of Chapter 5 of Title 24.2 of the Code of Virginia at least thirty days before the new election date.

§ 6. Notwithstanding any provision of law to the contrary, the term of the members of any governing body elected under the provisions of this act shall commence on the first day of the second month following the election and shall terminate on the day on which the term would have expired had the general election been held on its regularly scheduled day.

§ 7. The term of the members of any governing body affected by this act that would otherwise expire on July 1, 1994, shall be extended until the date that the terms of members elected under this act commence, notwithstanding any provision of law to the contrary.

2. That an emergency exists and this act is in force from its passage.

3. That the provisions of this act shall expire on January 1, 1995.