

VIRGINIA ACTS OF ASSEMBLY -- 1995 RECONVENED SESSION

CHAPTER 808

An Act to amend the Code of Virginia by adding in Article 5 of Chapter 6 of Title 24.2 a section numbered 24.2-686, relating to petition and referendum requirements before abolishing a constitutional office by change in form of county government.

[S 938]

Approved April 6, 1995

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 5 of Chapter 6 of Title 24.2 a section numbered 24.2-686 as follows:

§ 24.2-686. Petition and referendum requirements; abolition of constitutional office by change in form of government.

The provisions of § 24.2-685 shall apply, mutatis mutandis, to any county seeking to change its form of government pursuant to Chapter 13 of Title 15.1 (§ 15.1-582 et seq.) if the effect of such change in form would be the abolition of an existing office created pursuant to Section 4 of Article VII of the Constitution of Virginia. In such case, the circuit court may order a referendum under § 15.1-583 only if requested by a voter petition meeting the requirements of § 24.2-685. In such case, a question in substantially the following form shall be listed first on the ballot and be followed by those provided in § 15.1-584:

"Shall the County of be authorized to change its form of government to one which would eliminate the elected office(s) of ?"

An affirmative vote on the subsequent question or questions on the ballot shall be given effect only if a majority of those voting in the referendum have voted affirmatively on the first question to authorize such a change in the form of government.