

VIRGINIA ACTS OF ASSEMBLY -- 1996 SESSION

CHAPTER 2

An Act to provide for the election of the governing body in certain towns.

[H 481]

Approved February 23, 1996

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 7, 1996, general election for some or all the members of the town's governing body, the May 1996 general election shall be conducted from the newly established districts so long as the redistricting measure was adopted prior to February 1, 1996.*

§ 2. *Notwithstanding any other provision of law to the contrary, elections that would be held on May 7, 1996, 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 precleared by the Attorney General of the United States pursuant to § 5 of the Voting Rights Act of 1965 on or before April 23, 1996, and shall be held at a later date as provided in this act, unless otherwise provided by order of a court of competent jurisdiction.*

§ 3. *In each such town, such rescheduled election shall be held on the first Tuesday (i) that is more than sixty days after the Attorney General issues a letter stating 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 elections shall qualify in the manner provided by §§ 24.2-505, 24.2-506, and 24.2-507 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 §§ 24.2-501 and 24.2-502 of the Code at least thirty days before the new election date.*

§ 6. *Notwithstanding any provision of law to the contrary, the terms 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 terms would have expired had the general election been held on its regularly scheduled day.*

§ 7. *The terms of the members of any governing body affected by this act that would otherwise expire on June 30, 1996, shall be extended until the date that the terms of the 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 December 31, 1996.