

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 An Act to suspend certain officers, require a study, adopt a remedial plan, and establish meeting
3 requirements of town councils in certain towns and to amend the Code of Virginia by adding in Article 6
4 of Chapter 15 of Title 15.2 a section numbered 15.2-1535.1, relating to members of local governing body;
5 continuing personal interest in certain transactions; emergency.

6 [S 648]
7 Approved

8 **Be it enacted by the General Assembly of Virginia:**
9 **1. That the Code of Virginia is amended by adding in Article 6 of Chapter 15 of Title 15.2 a section**
10 **numbered 15.2-1535.1 as follows:**

11 **§ 15.2-1535.1. Members of governing body; continuing personal interest in certain transactions.**
12 Any member of a governing body in any locality, who has been employed by any governmental agency
13 that is a component part of and which is subject to the ultimate control of that governmental body of which he
14 is a member, shall be deemed to have a continuing personal interest, as defined in § 2.2-3101, in that agency
15 for a period of two years following the termination of such employment.

16 2. § 1. Notwithstanding any provision of law to the contrary, in the event of a criminal proceeding against
17 an officer of any town in Planning District 8 with a population between 8,000 and 10,000 according to the
18 latest United States decennial census alleging the commission of a felony offense, the court having
19 jurisdiction over such offense shall enter an order suspending such officer pending the resolution of such
20 proceeding and any related proceeding under § 24.2-231, 24.2-232, 24.2-233, 24.2-234, or 24.2-234.1 of
21 the Code of Virginia. If such offense originates in district court, such court shall have authority to issue an
22 order pursuant to this section of this act. Upon transfer to circuit court or if such offense originates in
23 circuit court, such circuit court shall enter an order pursuant to this section of this act on the record. The
24 presiding court may dissolve such order if the final outcome of the felony offense is an acquittal, nolle
25 prosequi, or dismissal, including if the offense was deferred and dismissed after a finding of facts sufficient
26 to justify a finding of guilt.

27 During a suspension pursuant to this enactment, the court may appoint some suitable person to act in the
28 officer's place.

29 § 2. Any town in Planning District 8 with a population between 8,000 and 10,000 according to the latest
30 United States decennial census shall procure a study to evaluate the condition and status of the town's debt,
31 infrastructure, utilities, and other significant liability risks, to be performed by a public institution of higher
32 education with a student population of at least 15,000 students in consultation with a chief administrative
33 officer of a locality in Planning District 8 with a population of at least 500,000 according to the latest United
34 States decennial census. The study shall make recommendations about prioritizing and identifying the needs
35 of the town as well as any recommendations as to amendments to the town's charter. The study shall conclude
36 no later than July 1, 2027.

37 § 3. Any town in Planning District 8 with a population between 8,000 and 10,000 according to the latest
38 United States decennial census for which a study is conducted pursuant to § 2 of this act shall adopt a plan
39 consistent with the study to address such town's needs in a fiscally appropriate manner that does not
40 jeopardize the town's bond rating.

41 § 4. In any town in Planning District 8 with a population between 8,000 and 10,000 according to the
42 latest United States decennial census, the town council shall only take votes on matters that have been (i)
43 properly published at least three days prior to the vote as part of a town council agenda or (ii) otherwise
44 approved as additional agenda items or as amendments to existing agenda items by a three-fourths vote of all
45 the members of the council at the start of the meeting. Any resident of the town shall have standing in the
46 general district court of the county in which the town is located to challenge a town council vote in conflict
47 with this section or the provisions of § 2.2-3112 of the Code of Virginia, and such case shall take precedence
48 on the docket. Any prevailing resident filing such case shall be entitled to attorney fees.

49 § 5. In any town in Planning District 8 with a population between 8,000 and 10,000 according to the
50 latest United States decennial census, any full-time town manager shall be a resident of the Commonwealth
51 of Virginia unless the town council of such town has waived such requirement by a majority vote of the town
52 council.

53 **3. That an emergency exists and this act is in force from its passage.**
54 **4. That the provisions of the second enactment of this act shall expire on July 1, 2028.**