

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 24.2-104 of the Code of Virginia, relating to Attorney General's*  
3 *authority to enforce election laws.*

4 [H 2331]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 24.2-104 of the Code of Virginia is amended and reenacted as follows:**8 **§ 24.2-104. Requesting assistance for attorney for the Commonwealth; investigative committees.**

9 When the State Board is of the opinion that the public interest will be served, it may request the  
10 Attorney General, or other attorney designated by the Governor for the purpose, to assist the attorney for  
11 the Commonwealth of any jurisdiction in which election laws have been violated. A. The Attorney  
12 General, or the other attorney designated by the Governor, shall have full authority to do whatever is  
13 necessary or appropriate to enforce the election laws or prosecute violations thereof. When the State  
14 Board makes its request pursuant to a unanimous vote of all members, the The Attorney General or  
15 other attorney designated by the Governor shall exercise the authority granted by this section to conduct  
16 an investigation, prosecute a violation, assure the enforcement of the elections laws, and report the  
17 results of the investigation to the State Board.

18 B. When the State Board is of the opinion that the public interest will be served, it may request the  
19 Attorney General, or other attorney designated by the Governor for such purpose, to assist the attorney  
20 for the Commonwealth of any jurisdiction in which election laws have been violated. When the State  
21 Board makes its request pursuant to a unanimous vote of all members, the Attorney General, or other  
22 attorney designated by the Governor, shall exercise the authority granted by this section to conduct an  
23 investigation, prosecute a violation, assure the enforcement of the election laws, and report the results  
24 of the investigation to the State Board.

25 C. The attorney for the Commonwealth or a member of the electoral board of any county or city  
26 may make a request, in writing, that the Attorney General appoint a committee to make an immediate  
27 investigation of the election practices in that city or county, accompanied by a statement under oath that  
28 substantial violations of this title have allegedly occurred which may alter or have altered the outcome  
29 of an election. On receipt of the request and statement, the Attorney General shall forthwith appoint a  
30 committee of two or more persons qualified to make the investigation. Members, officers, and  
31 employees of the Board, local electoral boards, and registrars' offices shall not serve on the committee  
32 but may provide assistance to the committee.

33 The Attorney General shall direct the committee to observe, investigate or supervise the election if  
34 supervision appears necessary. The committee shall make a preliminary report to the Attorney General  
35 within five days of its appointment. If its report shows that violations of this title have occurred, the  
36 Attorney General may, notwithstanding any other provision of law, authorize the prosecution of those  
37 responsible for the violations.