



★ VIRGINIA ★  
DEPARTMENT *of* ELECTIONS

**Official ELECT Advisory**

**DATE:** December 3, 2021

**SUBJECT:** Moving May Elections to November

**WHY THIS IS NEEDED:** Several localities still have towns or cities that have not passed the ordinance required by SB 1157 (2021) to move May General Elections to November. The bill became effective on July 1, 2021 and is now codified as Va. Code § 15.2-1400. May General Elections can no longer be legally held in May.

**HOW THIS AFFECTS YOU:** During the First Special Session in 2021, the General Assembly passed and the Governor signed Senate Bill 1157 requiring city and town governing bodies to pass an ordinance moving May elections for mayor, governing body, and school board to November. Many cities and towns have done so and have sent a copy of the ordinance to ELECT so the election information can be changed in VERIS. ELECT recognizes that it is not the responsibility of the GR to pass the ordinance or ensure that the proper governing body pass an ordinance.

Because of language in other parts of the Code (specifically Va. Code § 24.2-222.1), any ordinance passed to move the election from May to November must be passed prior to January 1 of the election year. For those cities and towns that have not yet passed an ordinance, it is imperative to do so before the end of the year to avoid violating both Va. Code §§ 15.2-1400 and 24.2-22.1.

At the end of the year, ELECT will set any unresolved May General Elections still in VERIS to “inactive.” This will prevent the loss of any data relating to the election such as associated offices and terms, while still removing the unauthorized election from the regular calendar. ELECT will also be reaching out to representatives from the Virginia Municipal League (VML) for assistance in prompting local governing bodies to act.

**ACTION ITEMS:** Please forward this Advisory and the attached copy of SB 1157 to the proper governing body(s) and city or town attorney(s) for their awareness.

As soon as you receive an ordinance changing the election dates, please forward a copy to [ea@elections.virginia.gov](mailto:ea@elections.virginia.gov).

**CONTACT:** **For technical matters:**

Submit questions via JIRA ticket to the System Support Team

**For all other matters:**


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**ADVISORY NUMBER:**

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