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HOUSE BILL NO. 1222

Offered January 16, 2002

A BILL to amend and reenact § 30-19.10 of the Code of Virginia, relating to information to be published on certain statewide referenda and bond proposals.

Patron—Darner

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:**1. That § 30-19.10 of the Code of Virginia is amended and reenacted as follows:**

§ 30-19.10. Distribution of information on proposed questions to be submitted to voters.

A. Whenever a statewide referendum on a matter, other than a constitutional amendment *subject to § 30-19.9 or bond proposal subject to subsection B*, is submitted to the voters by the General Assembly, the State Board of Elections shall cause to be printed and distributed to the general registrar of each county and city, not less than ninety days prior to the election, copies of an explanation of the referendum to be placed at each registration site in sufficient number to provide a copy to any interested person, and to election officials to be posted at the polling places on the day of the election. The State Board of Elections also shall cause the explanation to be published by paid advertisement in each daily newspaper with an average daily circulation of more than 50,000 in Virginia, and published in Virginia or in a contiguous state or district, once during the week preceding the final day for registration and once during the week preceding the referendum.

The explanation shall contain the ballot question and a statement of not more than 500 words on the proposed question. The explanation shall be presented in plain English, shall be limited to a neutral explanation, and shall not present arguments by either proponents or opponents of the proposal. The Division of Legislative Services, in consultation with such agencies of state government as may be appropriate, including the Office of the Attorney General, shall prepare the explanation. The explanation shall be approved for distribution as to form and content by the Committee on Privileges and Elections of the house of introduction of the legislation authorizing the referendum. For purposes of this section and § 30-19.9, "plain English" means written in nontechnical, readily understandable language using words of common everyday usage and avoiding legal terms and phrases or other terms and words of art whose usage or special meaning primarily is limited to a particular field or profession.

Any failure to comply with the provisions of this ~~section~~ subsection shall not affect the validity of the statewide referendum.

B. *Whenever a statewide referendum on a bond proposal is submitted to the voters by the General Assembly, the State Board of Elections shall cause to be printed and distributed to the general registrar of each county and city, not less than ninety days prior to the election, copies of an explanation of the referendum to be placed at each registration site in sufficient number to provide a copy to any interested person, and to election officials to be posted at the polling places on the day of the election. The State Board of Elections also shall cause the explanation to be published by paid advertisement in each daily newspaper with an average daily circulation of more than 50,000 in Virginia, and published in Virginia or in a contiguous state or district, once during the week preceding the final day for registration and once during the week preceding the referendum.*

The explanation shall contain the ballot question and a statement on the bond proposal. The explanation shall be presented in plain English as defined in subsection A, shall be limited to a neutral explanation, and shall not present arguments by either proponents or opponents of the proposal. The chiefs of the staffs of the House Committee on Appropriations and the Senate Committee on Finance, in consultation with such agencies of state government as may be appropriate, including the Office of the Attorney General, shall prepare the explanation. The explanation shall include descriptions of the need for and anticipated uses of the bond proceeds, the projects to be financed by the bonds, the total estimated cost of the bonds over the life of the bonds, the annual estimated costs of the bonds, the estimated costs of funding the projects from current revenues, and the average cost per taxpayer of the bonds and of funding the projects from current revenues. The explanation shall be approved for distribution as to form and content by the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance.

Any failure to comply with the provisions of this subsection shall not affect the validity of the statewide referendum.

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