

VIRGINIA ACTS OF ASSEMBLY -- 2004 SESSION

CHAPTER 399

An Act to amend and reenact § 24.2-687 of the Code of Virginia, relating to distribution of information on local referenda.

[S 359]

Approved April 12, 2004

Be it enacted by the General Assembly of Virginia:

1. That § 24.2-687 of the Code of Virginia is amended and reenacted as follows:

§ 24.2-687. Authorization for distribution of information on referendum elections.

A. The governing body of any county or city may provide for the preparation and printing of an explanation for each referendum question to be submitted to the voters of the county or city *to be distributed at the polling places on the day of the referendum election. The explanation shall be made available at registration sites prior to the referendum, if practicable, and be posted at the polling places on the day of the election.* The governing body may have the explanation published by paid advertisement in a newspaper with general circulation in the county or city ~~once preceding the final day for registration, if practicable, and once during the week~~ *one or more times* 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 attorney for the county or city or, if there is no county or city attorney, the attorney for the Commonwealth shall prepare the explanation. "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.

B. *Nothing in this section shall be construed to limit a county or city from disseminating other neutral materials or advertisements concerning issues of public concern that are the subject of a referendum; however, the materials or advertisements shall not advocate the passage or defeat of the referendum question.*

C. This section shall not be applicable to statewide referenda.

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