

075503248

HOUSE BILL NO. 2560

Offered January 10, 2007

Prefiled January 10, 2007

A BILL to amend and reenact §§ 30-19 and 30-19.9 of the Code of Virginia, relating to the procedure for amending the Constitution, and requiring that the second joint resolution approving a proposed amendment include a neutral explanation for voters.

Patron—Brink

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:

1. That §§ 30-19 and 30-19.9 of the Code of Virginia are amended and reenacted as follows:

§ 30-19. How Constitution amended.

Any amendment or amendments to the Constitution may be proposed in the Senate or House of Delegates by a joint resolution, which shall contain such proposed amendment or amendments prepared in such form as is in accordance with that prescribed by the rules of the House of Delegates and the Senate for deletions and additions of language and be spread at length on the journal of the house in which it is offered, and if it is agreed to by a majority of the members elected thereto with ayes and noes taken thereon, it shall be communicated to the other house where it shall be dealt with in like manner, and when so agreed to by both houses, it shall be enrolled as provided by law and signed by the President of the Senate and Speaker of the House of Delegates. Such amendment or amendments shall thereupon stand referred to the General Assembly at its first regular session held after the next general election of members of the House of Delegates. If at such regular session the proposed amendment or amendments shall be agreed to by a majority vote of all the members elected to each house, the same shall be submitted to the people, not sooner than ninety days after final passage, by a bill or. A joint resolution shall be introduced for such purpose, and if purposes that sets out the proposed amendment or amendments, provides for the submission of the amendment or amendments to the people, states the effective date of the amendment or amendments, and contains the explanation required by § 30-19.9. If the people shall approve and ratify such amendment or amendments by the majority of the electors qualified to vote for the members of the General Assembly voting thereon, such amendment or amendments shall become a part of the Constitution.

§ 30-19.9. Distribution of information on proposed constitutional amendments to voters.

When a proposed amendment is to be submitted to the people for their approval and ratification pursuant to Article XII, Section 1 of the Constitution of Virginia and § 30-19, 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 information about such amendment to. The copies shall 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 shall post the explanation information on its site on the Internet. It also shall cause such explanation information 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 election at which the proposed amendment is to be presented to the people.

The explanation information shall contain the ballot question, the full text of the proposed constitutional amendment, and a statement an explanation of not more than 500 words on the proposed amendment. The explanation shall be presented in plain English, shall be limited to a neutral explanation, which in content, and may include a brief statement on the effect of a "yes" and "no" vote on the question but shall not include arguments submitted 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 Attorney General, shall prepare an explanation for any such proposal which is approved by the General Assembly on first reference and referred to the next regular session of the General Assembly following the general election of members of the House of Delegates. The explanation shall be approved for distribution as to form and content by the Committee on Privileges and Elections of the first house of introduction of the resolution proposing the amendment as soon as practicable after enactment of the ballot question. The explanation shall be included in the joint resolution that provides for the submission of the proposed amendment to the people and shall be subject to amendment by the General Assembly during its consideration of the joint resolution.

INTRODUCED

HB2560

59 Any failure to comply with the provisions of this section shall not affect the validity of the
60 constitutional amendment.