ENROLLED

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

SENATE JOINT RESOLUTION NO. 127

Submitting to the voters a proposed amendment to the Constitution of Virginia in conformity with the provisions of Section 1 of Article XII of the Constitution of Virginia.

Agreed to by the Senate, February 15, 2016
Agreed to by the House of Delegates, March 8, 2016

WHEREAS, a proposed amendment to the Constitution of Virginia, hereinafter set forth, was agreed to by a majority of the members elected to each of the two houses of the General Assembly at the 2015 Regular Session and referred to this, the next regular session held after the 2015 general election of members of the House of Delegates, as required by the Constitution of Virginia; and

WHEREAS, Section 2 of Article XII of the Constitution of Virginia provides that if any such amendment is agreed to by a majority of all the members elected to each house at this, the next regular session held after the 2015 general election of members of the House of Delegates, it shall be the duty of the General Assembly to submit the proposed amendment to the voters qualified to vote in elections by the people, in such manner as it shall prescribe; and

WHEREAS, § 30-19 of the Code of Virginia provides that such amendment shall be submitted to the people by a bill or resolution introduced for such purpose; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the following amendment to the Constitution of Virginia be, and the same hereby is, proposed in conformity with the provisions of Section 1 of Article XII of the Constitution of Virginia, namely:

Amend the Constitution of Virginia by adding in Article I a section numbered 11-A as follows:

ARTICLE I
BILL OF RIGHTS

Section 11-A. Right to work.

Any agreement or combination between any employer and any labor union or labor organization whereby nonmembers of the union or organization are denied the right to work for the employer, or whereby such membership is made a condition of employment or continuation of employment by such employer, or whereby any such union or organization acquires an employment monopoly in any enterprise, is against public policy and constitutes an illegal combination or conspiracy and is void.

RESOLVED FURTHER, That the officers conducting the election to be held on the Tuesday after the first Monday in November 2016, at the places appointed for holding the same, open a poll and take the sense of the qualified voters upon the ratification or rejection of the proposed amendment to the Constitution; and, be it

RESOLVED FURTHER, That the ballot contain the following question:

"Question: Should Article I of the Constitution of Virginia be amended to prohibit any agreement or combination between an employer and a labor union or labor organization whereby (i) nonmembers of the union or organization are denied the right to work for the employer, (ii) membership to the union or organization is made a condition of employment or continuation of employment by such employer, or (iii) the union or organization acquires an employment monopoly in any such enterprise?"; and, be it

RESOLVED FURTHER, That the ballots be prepared, distributed, and voted, and the results of the election be ascertained and certified, in the manner prescribed by § 24.2-684 of the Code of Virginia. The State Board of Elections shall comply with § 30-19.9 of the Code of Virginia and shall cause to be sent to the electoral boards of each county and city sufficient copies of the full text of the amendment and question contained herein for the officers of election to post in each polling place on election day; and, be it

RESOLVED FURTHER, That the electoral board of each county and city make out, certify, and forward an abstract of the votes cast for and against such proposed amendment in the manner now prescribed by law in relation to votes cast in general elections; and, be it

RESOLVED FURTHER, That the State Board of Elections open and canvass such abstracts and examine and report the whole number of votes cast at the election for and against such amendment in the manner now prescribed by law in relation to votes cast in general elections. The State Board of Elections shall record a certified copy of such report in its office and without delay make out and transmit to the Governor an official copy of such report, certified by it. The Governor shall without delay make proclamation of the result, stating therein the aggregate vote for and against the amendment; and, be it

RESOLVED FURTHER, That if a majority of those voting vote in favor of the amendment, it shall

become effective on January 1, 2017; and, be it

RESOLVED FINALLY, That the Clerk of the Senate transmit a copy of this resolution to the Governor and the Department of Elections in order that they may be apprised of the actions of the General Assembly taken in furtherance of its duty to submit to the voters any proposed amendment agreed to by a majority of the members elected to each of the two houses of the General Assembly, in conformity with the provisions of Section 1 of Article XII of the Constitution of Virginia and in accordance with the authority set forth in § 30-19 of the Code of Virginia.