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HOUSE JOINT RESOLUTION NO. 696

Offered January 11, 2017

Prefiled January 10, 2017

Proposing an amendment to Section 6 of Article II of the Constitution of Virginia, relating to apportionment; certain prohibitions; scope of legislative privilege.

Patrons—Price, Bell, John J., Boysko, Kory, Lindsey, Mullin, Plum and Simon

Referred to Committee on Privileges and Elections

RESOLVED by the House of Delegates, the Senate concurring, a majority of the members elected to each house agreeing, That the following amendment to the Constitution of Virginia be, and the same hereby is, proposed and referred to the General Assembly at its first regular session held after the next general election of members of the House of Delegates for its concurrence in conformity with the provisions of Section 1 of Article XII of the Constitution of Virginia, namely:

Amend Section 6 of Article II of the Constitution of Virginia as follows:

ARTICLE II

FRANCHISE AND OFFICERS

Section 6. Apportionment; *scope of legislative privilege.*

(a) Members of the House of Representatives of the United States and members of the Senate and of the House of Delegates of the General Assembly shall be elected from electoral districts established by the General Assembly. Every electoral district shall be composed of contiguous and compact territory and shall be so constituted as to give, as nearly as is practicable, representation in proportion to the population of the district. The General Assembly shall reapportion the Commonwealth into electoral districts in accordance with this section in the year ~~2011~~ 2021 and every ten years thereafter.

(b) *No district shall be drawn for the purpose of favoring or disfavoring any political party, incumbent legislator or member of Congress, or potential candidate.*

(c) *No district shall be drawn to restrict or deny the ability of any racial or language minority to participate in the political process and elect a preferred candidate of choice.*

(d) *Notwithstanding the provisions of Article IV, Section 9, any communication of or document prepared by a legislator or a legislator's staff or constituent in the course of reapportionment pursuant to this section shall not be subject to legislative privilege and shall be a public record.*

(e) Any such decennial reapportionment law shall take effect immediately and not be subject to the limitations contained in Article IV, Section 13, of this Constitution.

(f) The districts delineated in the decennial reapportionment law shall be implemented for the November general election for the United States House of Representatives, Senate, or House of Delegates, respectively, that is held immediately prior to the expiration of the term being served in the year that the reapportionment law is required to be enacted. A member in office at the time that a decennial redistricting law is enacted shall complete his term of office and shall continue to represent the district from which he was elected for the duration of such term of office so long as he does not move his residence from the district from which he was elected. Any vacancy occurring during such term shall be filled from the same district that elected the member whose vacancy is being filled.

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