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HOUSE JOINT RESOLUTION NO. 34

Offered January 10, 2018

Prefiled January 3, 2018

Proposing amendments to the Constitution of Virginia by adding in Article IV a section numbered 1-A relating to initiatives, referendums, and recalls.

Patron—Rasoul

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 the Constitution of Virginia by adding in Article IV a section numbered 1-A as follows:

ARTICLE IV
LEGISLATURE

Section 1-A. Initiatives, referendums, and recalls.

(a) Notwithstanding the provisions of Section 1, the people reserve to themselves the power (1) to propose and enact laws or constitutional amendments by initiative, 2) to approve or reject legislative acts, or parts thereof, by referendum, and (3) to remove certain elected officials by recall.

(b) The General Assembly, subject to subsection c, shall provide by law for the circulation and verification of petitions and all additional provisions necessary for the people to exercise such powers, but in no way shall such provisions limit or restrict the exercise of such powers.

(c) A measure shall qualify to be placed on the ballot only if petitions have been signed by qualified voters equal in number to the following:

(1) To place a proposed law on the ballot by initiative: four percent of the total turnout in the previous election for Governor.

(2) To place a referendum to repeal an existing law on the ballot: five percent of the total turnout in the previous election for Governor.

(3) To place a constitutional amendment on the ballot: ten percent of the total turnout in the previous election for Governor.

(d) The General Assembly shall provide by law for the recall of all state and local elected officials.

(e) Nothing in this section shall impair the right of the General Assembly to propose a constitutional amendment or call a constitutional convention pursuant to Article XII, Sections 1 and 2.

(f) The legal sufficiency of a proposed law, referendum question, or constitutional amendment shall be approved by the Attorney General prior to being placed on the ballot subject to an interlocutory appeal to the Supreme Court by the petition for review procedure set forth in law by the General Assembly.

INTRODUCED

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