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HOUSE JOINT RESOLUTION NO. 5

Offered January 10, 2018

Prefiled November 28, 2017

*Proposing an amendment to Section 6 of Article II of the Constitution of Virginia, relating to apportionment; criteria for electoral districts.*

Patrons—Sullivan, Gooditis and VanValkenburg

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.

(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) ~~Every electoral district shall be composed of territory that is contiguous and compact, such that nearby areas of population are not bypassed for more distant populations, and shall be drawn utilizing existing political boundaries, including the boundaries of counties, cities, towns, election districts, and voting precincts, to the maximum extent possible. Electoral districts shall be as nearly equal in population as is practicable. However, variations in the size of districts, within the deviations permitted by applicable law, may be permitted if necessary to facilitate compliance with other reapportionment criteria. The General Assembly may provide additional standards, definitions, or guidance that is consistent with federal and state law and authoritative judicial decisions interpreting such laws in order to facilitate the objective interpretation and application of the criteria set forth herein.~~

(c) ~~No electoral district shall be drawn for the purpose of favoring or disfavoring any political party, incumbent legislator or member of Congress, or other individual or entity.~~

(d) 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.

(e) 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.