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SENATE JOINT RESOLUTION NO. 258

Offered January 9, 2019

Prefiled November 13, 2018

Proposing amendments to Section 6 of Article II and Section 14 of Article IV of the Constitution of Virginia, relating to political reform.

Patrons—Chase; Delegate: Kory

Referred to Committee on Privileges and Elections

RESOLVED by the Senate, the House of Delegates concurring, a majority of the members elected to each house agreeing, That the following amendments to the Constitution of Virginia be, and the same hereby are, 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 and Section 14 of Article IV of the Constitution of Virginia as follows:

ARTICLE II
FRANCHISE AND OFFICERS

Section 6. Apportionment.

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 and every ten years thereafter. No electoral district shall be established that intentionally or unduly favors or disfavors any political party.

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.

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.

ARTICLE IV
LEGISLATURE

Section 14. Powers of General Assembly; limitations.

The authority of the General Assembly shall extend to all subjects of legislation not herein forbidden or restricted; and a specific grant of authority in this Constitution upon a subject shall not work a restriction of its authority upon the same or any other subject. The omission in this Constitution of specific grants of authority heretofore conferred shall not be construed to deprive the General Assembly of such authority, or to indicate a change of policy in reference thereto, unless such purpose plainly appear.

The General Assembly shall confer on the courts power to grant divorces, change the names of persons, and direct the sales of estates belonging to infants and other persons under legal disabilities, and shall not, by special legislation, grant relief in these or other cases of which the courts or other tribunals may have jurisdiction.

The General Assembly may regulate the exercise by courts of the right to punish for contempt.

The General Assembly's power to define the accrual date for a civil action based on an intentional tort committed by a natural person against a person who, at the time of the intentional tort, was a minor shall include the power to provide for the retroactive application of a change in the accrual date. No natural person shall have a constitutionally protected property right to bar a cause of action based on intentional torts as described herein on the ground that a change in the accrual date for the action has been applied retroactively or that a statute of limitations or statute of repose has expired.

The General Assembly shall regulate the role of money in elections and governance to ensure transparency, to prevent corruption, and to protect against the buying of access to or influence over

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SJ258

59 *elected officials. No reasonable regulation of the role of money in elections and governance shall be*
60 *deemed a violation of the freedom of speech provided for by this Constitution.*

61 The General Assembly shall not enact any local, special, or private law in the following cases:

62 (1) For the punishment of crime.

63 (2) Providing a change of venue in civil or criminal cases.

64 (3) Regulating the practice in, or the jurisdiction of, or changing the rules of evidence in any judicial
65 proceedings or inquiry before the courts or other tribunals, or providing or changing the methods of
66 collecting debts or enforcing judgments or prescribing the effect of judicial sales of real estate.

67 (4) Changing or locating county seats.

68 (5) For the assessment and collection of taxes, except as to animals which the General Assembly
69 may deem dangerous to the farming interests.

70 (6) Extending the time for the assessment or collection of taxes.

71 (7) Exempting property from taxation.

72 (8) Remitting, releasing, postponing, or diminishing any obligation or liability of any person,
73 corporation, or association to the Commonwealth or to any political subdivision thereof.

74 (9) Refunding money lawfully paid into the treasury of the Commonwealth or the treasury of any
75 political subdivision thereof.

76 (10) Granting from the treasury of the Commonwealth, or granting or authorizing to be granted from
77 the treasury of any political subdivision thereof, any extra compensation to any public officer, servant,
78 agent, or contractor.

79 (11) For registering voters, conducting elections, or designating the places of voting.

80 (12) Regulating labor, trade, mining, or manufacturing, or the rate of interest on money.

81 (13) Granting any pension.

82 (14) Creating, increasing, or decreasing, or authorizing to be created, increased, or decreased, the
83 salaries, fees, percentages, or allowances of public officers during the term for which they are elected or
84 appointed.

85 (15) Declaring streams navigable, or authorizing the construction of booms or dams therein, or the
86 removal of obstructions therefrom.

87 (16) Affecting or regulating fencing or the boundaries of land, or the running at large of stock.

88 (17) Creating private corporations, or amending, renewing, or extending the charters thereof.

89 (18) Granting to any private corporation, association, or individual any special or exclusive right,
90 privilege, or immunity.

91 (19) Naming or changing the name of any private corporation or association.

92 (20) Remitting the forfeiture of the charter of any private corporation, except upon the condition that
93 such corporation shall thereafter hold its charter subject to the provisions of this Constitution and the
94 laws passed in pursuance thereof.