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HOUSE JOINT RESOLUTION NO. 114

Offered January 8, 2020

Prefiled January 8, 2020

Directing the Virginia Code Commission to study the feasibility of a comprehensive revision of the Code of Virginia to eliminate masculine generics and to use gender-neutral language throughout. Report.

Patron—Jones

Referred to Committee on Rules

WHEREAS, pursuant to the rule of construction for gender as set forth in § 1-216 of the Code of Virginia, a word used in the masculine includes the feminine and neuter; and

WHEREAS, the Code of Virginia has been and continues to be written using masculine-gendered language; and

WHEREAS, contemporary research has found that the use of masculine-gendered language, when intended and understood to reference both males and females, propagates stereotypes and biases against women and others who do not identify as male and has the tendency to cause inaccurate, misleading, and ambiguous statements; and

WHEREAS, Florida, Illinois, North Carolina, and Washington have completed comprehensive revisions of their entire bodies of law to be gender-neutral; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Virginia Code Commission be directed to study the feasibility of a comprehensive revision of the Code of Virginia to eliminate masculine generics and to use gender-neutral language throughout.

In conducting its study, the Virginia Code Commission (the Commission) shall review how other states have revised their statutory bodies of law to eliminate masculine generics and use gender-neutral language throughout. The Commission shall consider the potential costs of such a project, including the financial impact on users of the printed version of the Code of Virginia, and any possible legal consequences and disruptions to governmental and judicial operations and how to minimize them.

The Commission shall make recommendations for the scope of the revision and the best approach for implementing changes to masculine generics and other gender-specific language. It shall recommend precise guidelines, including a set of gender-neutral rules and style recommendations, to ensure edits are made in a consistent and uniform manner and arbitrary, differentiated revision styles are reduced.

The Division of Legislative Services shall provide legal, research, policy analysis, and other services as requested by the Commission. The Office of the Executive Secretary and all agencies of the Commonwealth shall provide assistance to the Commission for this study, upon request.

The Commission shall complete its meetings by November 30, 2020, and the chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the 2021 Regular Session of the General Assembly. The executive summary shall state whether the Commission intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

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