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## SENATE JOINT RESOLUTION NO. 290

Offered January 13, 2021

Prefiled January 12, 2021

*Proposing an amendment to Section 5 of Article IV of the Constitution of Virginia and proposing an amendment to the Constitution of Virginia by adding in Article IV a section numbered 5-A, relating to legislative compensation; Legislative Compensation Commission.*

Patrons—McPike, Boysko, Ebbin, Hashmi, Locke, Spruill and Surovell; Delegates: Carter, Cole, J.G., Hope, Mundon King, Plum, Rasoul, Reid, Samirah, Scott and Subramanyam

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 5 of Article IV of the Constitution of Virginia and amend the Constitution of Virginia by adding in Article IV a section numbered 5-A as follows:

ARTICLE IV  
LEGISLATURE

Section § 5. Compensation; election to civil office of profit.

The members of the General Assembly shall receive ~~such salary and allowances as may be prescribed by law~~ compensation as determined by the Legislative Compensation Commission established under § 5-A of Article IV, but no increase in salary shall take effect for a given member until after the end of the term for which he was elected. *Other than the compensation determined by the Legislative Compensation Commission, the members of the General Assembly shall receive no other compensation from the Commonwealth.* No member during the term for which he shall have been elected shall be elected by the General Assembly to any civil office of profit in the Commonwealth.

*Section 5-A. Legislative Compensation Commission.*

*(a) Beginning on July 1, 2026, and quadrennially thereafter, the General Assembly shall appoint a temporary Legislative Compensation Commission (the Commission). The General Assembly shall determine the membership of the Commission. No member or employee of the General Assembly shall serve as a member of the Commission. The Commission shall be charged with determining compensation for members of the General Assembly, which shall include only the following:*

- (1) Regular salary;*
- (2) Additional salary for attending meetings;*
- (3) Expense allowance; and*
- (4) Retirement benefits.*

*(b) In determining compensation, the Commission shall:*

- (1) Review the current compensation of the members of the General Assembly;*
- (2) Examine the Commonwealth's history of legislative compensation;*
- (3) Review compensation for legislative service in other states;*
- (4) Collect and analyze data on comparative compensation in the private and public sectors;*
- (5) Assess various state methodologies in determining reasonable legislative compensation, including the tying of compensation to certain indexes or economic indicators; and*

*(6) Seek the assistance and input of members of the General Assembly and citizens of the Commonwealth by conducting surveys and holding public hearings, as deemed appropriate by the Commission.*

*(c) The Commission may determine a different compensation for a member of the General Assembly based on the duties of his office.*

*(d) The Commission shall not have the power to determine the compensation of:*

- (1) Any elected official other than the members of the General Assembly;*
- (2) Legislative staff; or*
- (3) Any other employee of the Commonwealth.*

*(e) The Commission shall determine whether any adjustments to compensation are needed and shall submit its determinations to the Governor and General Assembly on or before December 1 of the year preceding the election of all members of the General Assembly. The adjustments, if any, shall be effective for the next legislative term in office following submission of the report. The compensation, as*

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**58** *determined by the Commission, shall be appropriated in a general appropriation law.*

**59** *(f) The General Assembly shall enact such laws and make such appropriations as may be necessary*  
**60** *to effectuate the provisions of this section and the determinations of the Commission.*

**61** *(g) Upon the submission of its report pursuant to subsection (e), the Commission shall cease to exist*  
**62** *until a new Commission is appointed pursuant to subsection (a).*