

LD3560324

HOUSE BILL NO. 2505

Offered January 23, 1995

A BILL to amend and reenact § 30-19.9 of the Code of Virginia, relating to distribution of information to explain proposed constitutional amendments.

Patrons—Marshall, Callahan and Howell

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:

1. That § 30-19.9 of the Code of Virginia is amended and reenacted as follows:

§ 30-19.9. Distribution of information on proposed constitutional amendments to voters.

A. When a proposed amendment is to be submitted to the people for their approval and ratification pursuant to Article XII, Section 1 of the Constitution of Virginia and § 30-19, the State Board of Elections shall cause to be printed and distributed to the general registrar of each county and city, not less than ninety days prior to the election, copies of an explanation of such amendment to be placed at each registration site in sufficient number to provide a copy to any interested person, and to election officials to be posted at the polling places on the day of the election. The State Board of Elections also shall cause such explanation to be published by paid advertisement in each daily newspaper with an average daily circulation of more than 50,000 in Virginia, and published in Virginia or in a contiguous state or district, once during the week preceding the final day for registration and once during the week preceding the election at which the proposed amendment is to be presented to the people.

B. The explanation shall contain the ballot question and a statement of not more than 500 words on the proposed amendment. The ~~explanation~~ statement shall be presented in plain English, shall be ~~limited to a neutral explanation in content~~, and shall not present arguments by either proponents or opponents of the proposal. The Division of Legislative Services, in consultation with such agencies of state government as may be appropriate, including the Office of Attorney General, shall prepare an ~~explanation~~ a statement for any such proposal each proposed amendment which is approved by the General Assembly on first reference and referred to the next regular session of the General Assembly following the general election of members of the House of Delegates. The Division shall prepare the required statement by January 1 of the year in which the proposed amendment will be considered a second time by the General Assembly.

C. The explanation may also include a summary of arguments by proponents of the proposed amendment and a summary of arguments by opponents of the proposed amendment, or either such summary. No summary shall be longer than 500 words. The proponents' summary shall be prepared by the committee members who voted in favor of the amendment in the last committee to consider the amendment. The opponents' summary shall be prepared by the committee members who voted against the amendment in the last committee to consider the amendment. No summary shall be included in the explanation for the proposed amendment unless it is submitted to the appropriate Committee on Privileges and Elections as provided in subsection D on or before the third Wednesday after adjournment of the General Assembly session at which the proposed amendment is approved a second time by the General Assembly.

D. The explanation, including the statement prepared by the Division of Legislative Services and any summary submitted by proponents or opponents, shall be approved for distribution as to form and content by the Committee on Privileges and Elections of the house of introduction of the resolution proposing the amendment for consideration a second time by the General Assembly. The Committee shall complete its review of the explanation on or before the sixth Wednesday after adjournment of the session at which the proposed amendment is approved a second time by the General Assembly.

E. Any failure to comply with the ~~provision~~ provisions of this section shall not affect the validity of the constitutional amendment.

INTRODUCED

HB2505