LD2181812

SENATE JOINT RESOLUTION NO. 122

Offered January 25, 1994

Proposing an amendment to Section 11 of Article IV of the Constitution of Virginia, relating to the enactment of laws.

Patrons—Miller, K.G., Benedetti, Earley, Potts, Robb, Stolle, Stosch and Woods

Referred to the 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 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 11 of Article IV of the Constitution of Virginia as follows:

ARTICLE IV

LEGISLATURE Section 11. Enactment of laws.

No law shall be enacted except by bill. A bill may originate in either house, may be approved or rejected by the other, or may be amended by either, with the concurrence of the other.

No bill shall become a law unless, prior to its passage:

(a) it has been referred to a committee of each house, considered by such committee in session, and reported;

(b) it has been printed by the house in which it originated prior to its passage therein;

(c) it has been read by its title, or its title has been printed in a daily calendar, on three different calendar days in each house; and

(d) upon its final passage a vote has been taken thereon in each house, the name of each member voting for and against recorded in the journal, and a majority of those voting in each house, which majority shall include at least two-fifths of the members elected to that house, recorded in the affirmative.

Only in the manner required in subdivision (d) of this section shall an amendment to a bill by one house be concurred in by the other, or a conference report be adopted by either house, or either house discharge a committee from the consideration of a bill and consider the same as if reported. The printing and reading, or either, required in subdivisions (b) and (c) of this section, may be dispensed with in a bill to codify the laws of the Commonwealth, and in the case of an emergency by a vote of four-fifths of the members voting in each house, the name of each member voting and how he voted to be recorded in the journal.

No bill which creates or establishes a new office, or which creates, continues, or revives a debt or charge, or which makes, continues, or revives any appropriation of public or trust money or property, or which releases, discharges, or commutes any claim or demand of the Commonwealth, or which imposes, continues, or revives a tax, shall be passed except by the affirmative vote of a majority of all the members elected to each house, the name of each member voting and how he voted to be recorded in the journal.

Notwithstanding the foregoing, no bill which imposes an additional income or sales tax, or which increases the rate or application of any income or sales tax, shall be passed except by the affirmative vote of a two-thirds majority of all the members present in each house, which two-thirds shall include a majority of the members elected to that house, the name of each member voting and how he voted to be recorded in the journal.

Every law imposing, continuing, or reviving a tax shall specifically state such tax. However, any law by which taxes are imposed may define or specify the subject and provisions of such tax by reference to any provision of the laws of the United States as those laws may be or become effective at any time or from time to time, and may prescribe exceptions or modifications to any such provision.

The presiding officer of each house or upon his inability or failure to act a person designated by a majority of the members elected to each house shall, not later than three days after each bill is enrolled, sign each bill that has been passed by both houses and duly enrolled. The fact of signing shall be recorded in the journal.

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