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HOUSE BILL NO. 1214

Offered January 22, 1996

A BILL to amend the Code of Virginia by adding in Article 5 of Chapter 6 of Title 24.2 a section numbered 24.2-687 and by adding in Chapter 1 of Title 30 a section numbered 30-19.10, relating to distribution of information on referendum elections.

Patron—Katzen

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 5 of Chapter 6 of Title 24.2 a section numbered 24.2-687 and by adding in Chapter 1 of Title 30 a section numbered 30-19.10 as follows:

§ 24.2-687. Authorization for distribution of information on referendum elections.

The governing body of any county or city may provide for the preparation and printing of an explanation for each referendum question to be submitted to the voters of the county or city. The explanation shall be made available at registration sites prior to the referendum, if practicable, and be posted at the polling places on the day of the election. The governing body may have the explanation published by paid advertisement in a newspaper with general circulation in the county or city once preceding the final day for registration, if practicable, and once during the week preceding the referendum.

The explanation shall contain the ballot question and a statement of not more than 500 words on the proposed question. The explanation shall be presented in plain English, shall be limited to a neutral explanation, and shall not present arguments by either proponents or opponents of the proposal. The attorney for the county or city or, if there is no county or city attorney, the attorney for the Commonwealth shall prepare the explanation.

This section shall not be applicable to statewide referenda.

Any failure to comply with the provisions of this section shall not affect the validity of the referendum.

§ 30-19.10. Distribution of information on proposed questions to be submitted to voters.

Whenever a statewide referendum on a matter other than a constitutional amendment is submitted to the voters by the General Assembly, 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 the referendum 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 the 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 referendum.

The explanation shall contain the ballot question and a statement of not more than 500 words on the proposed question. The explanation shall be presented in plain English, shall be limited to a neutral explanation, 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 the explanation. The explanation shall be approved for distribution as to form and content by the Committee on Privileges and Elections of the house of introduction of the legislation authorizing the referendum.

Any failure to comply with the provisions of this section shall not affect the validity of the statewide referendum.

INTRODUCED

HB1214