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HOUSE BILL NO. 1386

Offered February 4, 2010

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

Patron—Cole

Unanimous consent to introduce

Referred to Committee on Privileges and Elections

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.

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 shall post the explanation on its site on the Internet. It also shall cause *notice of* 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. *The notice need state only (i) that a constitutional amendment will be on the ballot and the date of the election and (ii) that the full text of the amendment, the ballot question, and an explanation of the amendment may be obtained from the State Board of Elections' website address (shown in the notice) or at the office of the local general registrar.*

The explanation shall contain the ballot question, the full text of the proposed constitutional amendment, and a statement of not more than 500 words on the proposed amendment. The explanation shall be presented in plain English, shall be limited to a neutral explanation, which may include a brief statement on the effect of a "yes" and "no" vote on the question but shall not include arguments submitted 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 for any such proposal 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 explanation shall be approved for distribution as to form and content by the Committee on Privileges and Elections of the first house of introduction of the resolution proposing the amendment as soon as practicable after enactment of the ballot question.

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

INTRODUCED

HB1386