

SENATE JOINT RESOLUTION NO. 92

Offered January 11, 2006

Prefiled January 11, 2006

Proposing an amendment to Article I of the Constitution of Virginia by adding a section numbered 15-A, relating to marriage.

Patrons-- Newman and Bell; Delegate: Byron

Referred to Committee on Privileges and Elections

WHEREAS, a proposed amendment to the Constitution of Virginia, hereinafter set forth, was agreed to by a majority of the members elected to each of the two houses of the General Assembly at the regular session of 2005 and referred to this, the next regular session held after the 2005 general election of members of the House of Delegates, as required by the Constitution of Virginia; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the following amendment to the Constitution of Virginia be, and the same hereby is, proposed in conformity with the provisions of Section 1 of Article XII of the Constitution of Virginia, namely:

Amend Article I of the Constitution of Virginia by adding a section numbered 15-A as follows:

**ARTICLE I
BILL OF RIGHTS**

Section 15-A. Marriage.

That only a union between one man and one woman may be a marriage valid in or recognized by this Commonwealth and its political subdivisions.

This Commonwealth and its political subdivisions shall not create or recognize a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance, or effects of marriage. Nor shall this Commonwealth or its political subdivisions create or recognize another union, partnership, or other legal status to which is assigned the rights, benefits, obligations, qualities, or effects of marriage.

HOUSE BILL NO. 101

Offered January 11, 2006

Prefiled December 21, 2005

A BILL to provide for the submission to the voters of a proposed amendment to Article I of the Constitution of Virginia by adding a section numbered 15-A, relating to marriage.

Patrons-- Cosgrove, Byron and Lingamfelter

Referred to Committee on Privileges and Elections

Be it enacted by the General Assembly of Virginia:

1. § 1. It shall be the duty of the officers conducting the election directed by law to be held on the Tuesday after the first Monday in November 2006, at the places appointed for holding the same, to open a poll and take the sense of the qualified voters upon the ratification or rejection of the proposed amendment to the Constitution of Virginia, contained herein and in the joint resolution proposing such amendment, to wit:

Amend Article I of the Constitution of Virginia by adding a section numbered 15-A as follows:

ARTICLE I
BILL OF RIGHTS

Section 15-A. Marriage.

That only a union between one man and one woman may be a marriage valid in or recognized by this Commonwealth and its political subdivisions.

This Commonwealth and its political subdivisions shall not create or recognize a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance, or effects of marriage. Nor shall this Commonwealth or its political subdivisions create or recognize another union, partnership, or other legal status to which is assigned the rights, benefits, obligations, qualities, or effects of marriage.

The ballot shall contain the following question:

"Question: Shall Article I (the Bill of Rights) of the Constitution of Virginia be amended to state, in part, that 'only a union between one man and one woman may be a marriage valid in or recognized by this Commonwealth and its political subdivisions' and to add provisions relating to the legal status of other relationships?"

The ballots shall be prepared, distributed and voted, and the results of the election shall be ascertained and certified, in the manner prescribed by § [24.2-684](#) of the Code of Virginia. The State Board of Elections shall comply with § [30-19.9](#) of the Code and shall cause to be sent to the electoral boards of each county and city sufficient copies of the

full text of the amendment and question contained herein for the officers of election to post in each polling place on election day.

The electoral board of each county and city shall make out, certify and forward an abstract of the votes cast for and against such proposed amendment in the manner now prescribed by law in relation to votes cast in general elections.

The State Board of Elections shall open and canvass such abstracts and examine and report the whole number of votes cast at the election for and against such amendment in the manner now prescribed by law in relation to votes cast in general elections. The State Board of Elections shall record a certified copy of such report in its office, and without delay make out and transmit to the Governor an official copy of such report, certified by it. The Governor shall, without delay, make proclamation of the result, stating therein the aggregate vote for and against the amendment.

If a majority of those voting vote in favor of the amendment, it shall become effective on January 1, 2007.

The expenses incurred in conducting this election shall be defrayed as in the case of election of members of the General Assembly.