

Explanation for PROPOSED Constitutional Amendment
to Be Voted On at the April 21, 2026, Special Election

BALLOT QUESTION

Should the Constitution of Virginia be amended to allow the General Assembly to temporarily adopt new congressional districts to restore fairness in the upcoming elections, while ensuring Virginia's standard redistricting process resumes for all future redistricting after the 2030 census?

EXPLANATION FOR VOTERS

Present Law

Virginia's eleven congressional districts are drawn once every ten years by the Virginia Redistricting Commission, a legislative body made up of eight legislators and eight citizens, with an equal number of Republicans and Democrats. Virginia's congressional districts were last redrawn in 2021 and will next be redrawn in 2031.

Proposed Law

The proposed amendment would give the General Assembly the authority to redraw one or more of Virginia's congressional districts before 2031 in limited circumstances. In the event that another state redraws its own congressional districts before 2031, without being ordered by a court to do so, the General Assembly would then be able to redraw Virginia's congressional districts. The General Assembly's power to do so would continue until October 31, 2030, and the Virginia Redistricting Commission would reassume the responsibility of drawing the congressional districts in 2031.

The proposed district map has been approved by the General Assembly and would take effect only if the constitutional amendment is approved by the voters.

A "yes" vote would allow the General Assembly to redraw Virginia's congressional districts, since other states have done so, in addition to giving effect to the proposed district map in time for the 2026 Congressional elections, and return the responsibility of drawing the congressional districts in 2031 to the Virginia Redistricting Commission.

A "no" vote would leave the authority to draw congressional districts with the Virginia Redistricting Commission once a decade and Virginia's current districts would remain in place.

TEXT OF AMENDMENT (proposed language is underlined. Deleted old language is stricken.)

ARTICLE 11 FRANCHISE AND OFFICERS

Members of the House of Representatives of the United States and members of the Senate and of the House of Delegates of the General Assembly shall be elected from electoral districts established pursuant to this section and Section 6-A of this Constitution. Every electoral district shall be composed of contiguous and compact territory and shall be so constituted as to give, as nearly as is practicable, representation in proportion to the population of the district. Every electoral district shall be drawn in accordance with the requirements of federal and state laws that address racial and ethnic fairness, including the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States and provisions of the Voting Rights Act of 1965, as amended, and judicial decisions interpreting such laws. Districts shall provide, where practicable, opportunities for racial and ethnic communities to elect candidates of their choice.

The Commonwealth shall be reapportioned into electoral districts in accordance with this section and Section 6-A in the year 2021 and every ten years thereafter, except that the General Assembly shall be authorized to modify one or more congressional districts at any point following the adoption of a decennial reapportionment law. but prior to the next decennial census, in the event that any State of the United States of America conducts a redistricting of such state's congressional districts at any point following that state's adoption of a decennial reapportionment law for any purpose other than (i) the completion of the state's decennial redistricting in response to a federal census and reapportionment mandated by the Constitution of the United States and established in federal law or (ji) as ordered by any state or federal court to remedy an unlawful or unconstitutional district map.

Any such decennial reapportionment law, or reapportionment law modifying one or more congressional districts, shall take effect immediately and not be subject to the limitations contained in Article IV, Section 13, of this Constitution.

The districts delineated ~~in the decennial~~ any reapportionment law shall be implemented for the November general election for the United States House of Representatives, Senate, or House of Delegates, respectively, that is held immediately prior to the expiration of the term being served in the year that the reapportionment law is ~~required to be~~ enacted. A member in office at the time that a ~~decennial~~ redistricting law is enacted shall complete his term of office and shall continue to represent the district from which he was elected for the duration of such term of office so long as he does not move his residence from the district from which he was elected. Any vacancy occurring during such term shall be filled from the same district that elected the member whose vacancy is being filled.

SCHEDULE

Section 6. Application and duration of certain redistricting amendments.

The authorization in Article II, Section 6 authorizing the General Assembly to modify one or more congressional districts at any point following adoption of a decennial reapportionment law in the event that any State of the United States of America conducts a redistricting of such state's congressional districts at any point following that state's adoption of a decennial reapportionment law shall be limited to making such modifications between January 1 , 2025, and October 31 , 2030, in response to actions taken by another state between January 1, 2025, and October 31. 2030.