

VIRGINIA: IN THE CIRCUIT COURT OF TAZEWEEL COUNTY

RYAN T. MCDOUGLE, Virginia State Senator and
Legislative Commissioner for the Virginia
Redistricting Commission, et al.,

Plaintiffs,

v.

G. PAUL NARDO, in his official capacity as
Clerk of the Virginia House of Delegates, et al.,
Defendants,

and

DON SCOTT, in his official capacity as Speaker of
the Virginia House of Delegates,

Intervenor-Defendant.

CASE NO.: CL25-1582-00

ORDER

Upon an Amended Complaint, all responses thereto; upon all briefs, Memoranda Exhibits, Amicus Briefs, and arguments at the hearing of January 21, 2026, the Court makes the following findings and rulings.

While the Court allowed counsel up to ten (10) days to submit additional authority on the limited issue of ripeness regarding the applicability of Va. Code §30-13, the actions of the Interpleader Defendant makes clear that it is ripe; however, since the Court retains jurisdiction for twenty-one (21) days, it can re-address this issue if additional authority filed by January 31, 2026 so necessitates.

The first issue raised by the Plaintiffs is that the 2024 Special Session could not legally remain active as of October 31, 2025, the date of passage of the proposed Constitutional Amendment. Plaintiffs argue that the Special Session ended upon the convening of the Regular 2025 Session. Secondly, they argue in the alternative that the Special Session ended upon the passage of the Budget, which was the purpose for which the Governor called the Special Session.

However, Plaintiffs were unable to show Constitutional or Statutory prohibition of continuing the Special Session and conceded that when the Plaintiffs were in the majority in 2018 and 2022, they continued Special Sessions in the same manner. Therefore, the Court FINDS that the continued reconvening of the Special Session was valid up to and including the October 31, 2025 meeting of said Special Session.

The second challenge to the actions of the 2024 Special Session's passage of the proposed Constitutional Amendment is the failure of the General Assembly to follow its own Resolutions in adding the proposed Constitutional Amendment to the scope of business that may come before the 2024 Special Session.

While it is not contested that the Governor called for a Special Session to address the issue of the Budget Bill, it is likewise conceded that on a February 3, 2024 vote of both houses of the General Assembly, an application for a Special Session was also invoked pursuant to Article III, Section 6 of the Virginia Constitution.

House Joint Resolution 428 passed in the House of Delegates by a vote of 98-0, and in the Senate by a vote of 40-0. Said Resolution stated that the Special Session would “consider such matters are provided for in **the procedural resolution** [emphasis added] adopted to govern the conduct of business coming before such Special Session;”

The Procedural Resolution” was House Joint Resolution 6001, which also passed by a super majority in both houses: 99-0 in the House and 39-1 in the Senate. The specified purpose of the Resolution, which is found in italics under the Bills Number is:

“Limiting legislation to be considered by the 2024 Special Session I of the General Assembly and establishing a schedule of the conduct of business coming before such Special Session.”

The first paragraph directly states that “. . . **except with unanimous consent** [emphasis added] of the house in which legislation is offered, **no** [emphasis added] bill, joint bills, joint resolutions, or resolutions affecting the rules of procedure or schedule of business of the General Assembly, either of its houses during the Special Session other than (i) Budget Bill(s) and revenue bills; (ii) single-house commending and memorial resolutions; (iii) General Assembly, either of its houses, or any of its committees; (iv) the election of judges and other officials subject to the election of the General Assembly; or (v) appointments subject to the confirmation of the General Assembly”.

Irrespective of their own rule as set forth in House Joint Resolution 6001, the General Assembly passed a second rule without unanimous consent OR a super majority to add a sixth item of business – “(vi) bill or joint resolution addressing the impacts upon the Commonwealth, its budget, and its services due to layoffs, firings, or reductions in force by the federal government, changes to federal government programs, actions of the Department of Government Efficiency,

and other actions affecting the Commonwealth relating to the federal budget may be offered and considered during the 2024 Special Session I of the General Assembly”.

While this suit does not address any such bills, etc. considered in the Special Session pertaining to item (vi), any such action, if taken, might well be in violation of the scope of business allowed in the 2024 Special Session.

The Special Session once again met and attempted to expand the scope of its business through a third procedural resolution, House Joint Resolution 6006, which added a seventh item, “(vii) joint resolution proposing an amendment to the Constitution of Virginia related to reapportionment or redistricting may be offered and considered during the 2024 Special Session I of the General Assembly,” which IS the basis of this pending action.

The vote on this procedural resolution was passed strictly along party lines, in the House 50-42 and, 21-17 in the Senate. This vote was not by unanimous vote as required under House Joint Resolution 6001, and it did not pass by a two-thirds super majority that would have been required to demand a new Special Session to consider this business.

Certainly, both houses of the Commonwealth’s legislature are required to follow their own rules and resolutions. Likewise, the legislators required to reach the two-thirds super majority in order to demand a Special Session under Article IV, Section 6, have the right to depend on the accompanying rule which limit the subject matter of the items they agree can be considered in the Special Session. Without this limitation, the majority can seek a Special Session agreeing to consider limited items in order to gain the votes necessary to invoke a Special Session, and thereafter by simple majority vote take up ANY ITEM without acquiescence of the two-thirds concurrence necessary to request the same. This blatant abuse of power by a majority IGNORES their own rules and resolutions thereby trampling ANY and ALL procedural rights of the minority.

Surely, the minority members of the Virginia House of Delegates and the Senate of Virginia are afforded the same civil rights of any citizen of the Commonwealth who enters into an agreement upon valid consideration, as here where they voted for a Special Session which contained a procedural rule limiting the business to come before it to five (5) specific items, unless the same was presented by unanimous vote of the house offering the proposed legislation.

Therefore, the Court FINDS that adding the House Joint Resolution 6007 (joint resolution proposing an amendment to the Constitution of Virginia related to the reapportionment or redistricting) violated House Joint Resolution 428 and House Joint Resolution 6001, and any

action taken thereon is an invalid expansion of the General Assembly's own call to the Governor for the 2024 Special Session, and the Court ORDERS that any such action is void, ab initio.

The third challenge to the proposed Constitutional Amendment, is that it is being submitted to the voters of the Commonwealth of Virginia, pursuant to Article XII, Section 1 of the Virginia Constitution, which states:

“Any amendment or amendments to this Constitution may be proposed in the Senate or House of Delegates, and if the same shall be agreed to by a majority of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals, the name of each member and how he voted to be recorded, and referred to the General Assembly and its first regular session held after the next general election of members of the House of Delegates.”

The Plaintiffs contend that the vote on House Joint Resolution 6007 which occurred on October 31, 2025, some forty-three days after voting began in the 2025 General Election for the House of Delegates, wherein more than one million votes (approximately 40% of the 2025 Vote Totals) had already been cast. Plaintiffs contend that the definition of “election” is the process of selecting a person to occupy an office.” *Election, Black’s Law Dictionary*.

The Attorney General opined that on January 17, 2026 that the Constitution defines the date of the General Election for the House of Delegates on “the Tuesday succeeding the first Monday in November.”

While all concede that the enumerated date in Article IV, Section 3 of the Constitution is “Election Day,” Defendants concede that voting began pursuant to Virginia law on September 19, 2025. Approximately one million Virginians had voted by the time the General Assembly passed House Joint Resolution 6007 regarding the proposed redistricting Constitutional Amendment. For this Court to find that the election was only on November 4, 2025, those one million Virginia voters would be completely disenfranchised. The Constitution **REQUIRES** an intervening election FOLLOWING the first passage of a proposed Constitutional Amendment. It is legal, acceptable and even encouraged for voters to take advantage of the earlier voting statute. There is no rational conclusion except that the ELECTION began on the first day of voting (September 19, 2025) and ended on November 4, 2025. Therefore, the Court FINDS that following the October 31, 2025 vote and passage of House Joint Resolution 6007 there HAS NOT BEEN an ensuing general election of the House of Delegates, and such ensuing general election CANNOT occur until 2027. Thus, the action of the General Assembly during its Regular Session 2026 CANNOT meet the

second passage required of Article XII, Section 1 of the Virginia Constitution, which second passage must occur before the same can be submitted to the voters of Virginia for adoption.

The fourth and final challenge by the Plaintiffs is that VA Code Section 30-13 was not satisfied since the Defendants concede that the proposed Constitutional Amendment was neither published by the Clerk of the House of Delegates, nor was it posted at the front door of every Courthouse, "not later than three months prior to the next ensuing general election of members of the House of Delegates."

Defendants woefully argued that the posting could occur three (3) months prior to the 2027 election and still comply with the statute even if the proposed Constitutional Amendment was voted on in the Spring of 2026. The sole purpose for the posting the proposed amendment at the front door of the Courthouse and having a copy in the Clerk's Office available for inspection is to provide the voters with notice and information PRIOR to the election of the House of Delegates members who would be elected to vote on the proposed Constitutional Amendment for the second vote as required under the Constitution. Since Article XII, Section I of the Virginia Constitution states that after the proposed amendment has been passed the second time, then it shall be the duty of the General Assembly to submit such proposed amendment or amendments to the voters qualified to vote in elections by the people, in such manner as it shall prescribe [emphasis added] and not sooner than ninety days after final passage by the General Assembly.

VA Code Section 30-13 does exactly THAT. It prescribes how the vote can take place, and what steps must be taken prior to such vote. This statute has been amended four times SINCE the adoption of the 1971 overhaul of the Virginia Constitution. Therefore, the Court FINDS that the provisions of Section 30-13 of the Code of Virginia have not been complied with, and therefore all votes on the proposed Constitutional Amendment taken during the 2026 Regular Session of the General Assembly are ineffective as being a "SECOND" VOTE OF THE General Assembly under Article XII, Section I of the Constitution.

The Court having made the FINDINGS set forth above hereby RULES that the 2024 Special Session was a valid session up to and including all meetings until January 13, 2026. The Court further having FOUND that the General Assembly failed to follow its own Rules and Resolutions, DECLARES that any and all matters, motions, actions and votes regarding House Joint Resolution 6007 was in violation of the same as are ORDERED to be VOID AB INITIO.

Likewise, even if said passage HAD been valid, that no "NEXT ENSUING GENERAL ELECTION OF THE MEMBERS OF THE HOUSE OF DELEGATES" has occurred whereby the Court ORDERS that any 2026 Regular Session vote on a proposed Constitutional Amendment SHALL BE and IS construed as a FIRST vote under Article XII, Section I of the Virginia Constitution.

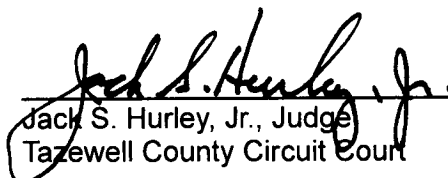
Lastly, even if the General Assembly is NOT required to follow its own Rules and Resolutions, and even if "election" is narrowly defined as "Election Day", the Court FINDS the General Assembly FAILED to comply with Section 30-13 of the Code of Virginia, which therefore PROHIBITS the proposed amendment from being submitted to the voters for their consideration. The Court hereby GRANTS a TEMPORARY and PERMANENT INJUNCTION, requiring the Clerk of the Circuit Court of Tazewell County to post the proposed Constitutional Amendment at least ninety (90) days BEFORE the next ensuing election of the members of the House of Delegates election.

The General Assembly has attempted or is attempting to repeal Section 30-13, which is fully within their power to do. However, under Article IV, Section 13 of the Constitution of Virginia, "All laws enacted at a regular session. . . shall take effect on the first day of July following the adjournment of the session of the General Assembly at which it has been enacted; . . . unless in the case of an emergency (which emergency shall be expressed in the body of the bill) the General Assembly shall specify an earlier date by a vote of four-fifths of the members voting in each house. . . ." Therefore, any attempt to repeal Section 30-13 which does not comply with this Constitutional mandate, is NULL and VOID. In the same way, the attempt within the House Joint Resolution to have this pending case transferred to the Circuit Court of the City of Richmond is in direct violation of Article IV, Section 14(2) of the Constitution of Virginia which states that: "The General Assembly shall not enact any local special, or private law in the following cases: (2) Providing for a change of venue in civil or criminal cases.

A copy of House Joint Resolutions and Virginia Codes and Constitutional provisions referred to herein are attached hereto.

The Clerk is directed to send attested copies to all attorneys of record.

Enter this 27th day of January, 2026.



Jack S. Hurley, Jr., Judge
Tazewell County Circuit Court

2024 SESSION

ENROLLED

HOUSE JOINT RESOLUTION NO. 428

Applying to the Governor to call a special session and establishing a schedule for the conduct of business coming before such special session.

Agreed to by the House of Delegates, April 17, 2024
Agreed to by the Senate, April 17, 2024

RESOLVED by the House of Delegates, the Senate concurring, That, pursuant to Section 6 of Article IV of the Constitution of Virginia, which directs that the Governor shall convene a special session upon the application by two-thirds of the members elected to each house, the General Assembly does hereby apply to the Governor to convene the General Assembly in a special session on Monday, May 13, 2024, for the purpose of considering Budget Bills; and be it

RESOLVED FURTHER, That after the Special Session is convened for the first time, it may stand in recess from time to time until reconvened by the joint call of the Speaker of the House of Delegates and Chair of the Senate Committee on Rules to consider such matters as are provided for in the procedural resolution adopted to govern the conduct of business coming before such Special Session; and, be it

RESOLVED FURTHER, That no engrossment of the Budget Bills shall be required in either house, and any conferences on the Budget Bill shall consider, as the basis for their deliberations, the enrolled Budget Bill transmitted to the Governor at the close of the 2024 Regular Session; and, be it

RESOLVED FINALLY, That for the purpose of this resolution;

"Budget Bills" means the general appropriation bill introduced in each house that authorizes the biennial expenditure of public revenues for the period from July 1, 2022, through June 30, 2024, or July 1, 2024, through June 30, 2026.

ENROLLED

HJ428ER

Received and filed in Tazewell County,

Virginia Circuit Court Clerk's Office.

This the 5 day of Nov, 25

Time 8:00 A.M.

TESTE [Signature]
Clerk Deputy Clerk



2024 SESSION

HJ 428 General Assembly; Gov. to call a special session, establishing a schedule for conduct of business.

Introduced by: Charniele L. Herring | all patrons ... notes | add to my profiles

SUMMARY AS INTRODUCED:

Applying to the Governor to call a special session and establishing a schedule for the conduct of business coming before such special session.

FULL TEXT

04/17/24 House: Presented, ordered printed 24109392D pdf

04/17/24 House: Bill text as passed House and Senate (HJ428ER) pdf

HISTORY

04/17/24 House: Presented, ordered printed 24109392D

04/17/24 House: Taken up

04/17/24 House: Engrossed by House

04/17/24 House: Agreed to by House (98-Y 0-N)

04/17/24 Senate: Received

04/17/24 Senate: Referred to Committee on Rules

04/17/24 Senate: Discharged from Rules

04/17/24 Senate: Reading waived

04/17/24 Senate: Agreed to by Senate (40-Y 0-N)

04/17/24 House: VOTE: Adoption (98-Y 0-N)

04/17/24 House: Bill text as passed House and Senate (HJ428ER)

2024 SPECIAL SESSION I

ENROLLED

HOUSE JOINT RESOLUTION NO. 6001

Limiting legislation to be considered by the 2024 Special Session I of the General Assembly and establishing a schedule for the conduct of business coming before such Special Session.

Agreed to by the House of Delegates, May 13, 2024
Agreed to by the Senate, May 13, 2024

RESOLVED by the House of Delegates, the Senate concurring, That during the 2024 Special Session I of the General Assembly, summoned by proclamation of the Governor on Wednesday, April 17, 2024 to begin Monday, May 13, 2024 at 12:00 PM, pursuant to the provisions of HJR 428, 2024 Regular Session, except with unanimous consent of the house in which the legislation is offered, no bill, joint resolution, or resolution shall be offered or considered in either house during the Special Session other than (i) Budget Bill(s) and revenue bills; (ii) single-house commending and memorial resolutions; (iii) bills, joint resolutions, or resolutions affecting the rules of procedure or schedule of business of the General Assembly, either of its houses, or any of its committees; (iv) the election of judges and other officials subject to the election of the General Assembly; or (v) appointments subject to the confirmation of the General Assembly; and, be it

RESOLVED FURTHER, That after the Special Session is convened for the first time, each body may recess from time-to-time until reconvened with at least 48 hours' notice by the respective call of the Speaker of the House of Delegates and the Chair of the Senate Committee on Rules; and, be it

RESOLVED FURTHER, That for the purposes of this resolution:

"Budget Bill(s)" means a general appropriation bill introduced that authorizes the biennial expenditure of public revenues for the period from July 1, 2022, through June 30, 2024, or July 1, 2024, through June 30, 2026; and,

"Revenue Bill(s)" means any bill, except the Budget Bill and debt bills, that increases or decreases the total revenues available for appropriation; and it be

RESOLVED FINALLY, That the 2024 Special Session I of the General Assembly shall be governed by the following procedural rules:

Rule 1. Neither house shall receive, consider, or vote on any committee amendment or floor amendment or amendment of the other house to the Budget Bill(s). No engrossment of the Budget Bill(s) shall be required in either house, and any conferences on the Budget Bill(s) shall consider, as the basis for their deliberations, the enrolled Budget Bill(s) transmitted to the Governor at the close of the 2024 Regular Session.

Rule 2. Neither house shall consider such Budget Bill(s) earlier than 48 hours after introduction, unless both houses respectively determine to proceed earlier by a vote of two-thirds of the members voting in each house. A report shall be issued concurrently with the introduction of the Budget Bill(s) that enumerates all changes to such Budget Bills compared to the enrolled versions of House Bill 29 and House Bill 30 of the 2024 Regular Session.

Received and filed in Tazewell County.

Virginia Circuit Court Clerk's Office.

This the 5 day of Nov, 2025

Time 8:00 AM

TESTE C. Hunter
Clerk, Deputy Clerk

ENROLLED

HJ6001ER

EXHIBIT

3

2024 SPECIAL SESSION I

HJ 6001 General Assembly; 2024 Special Session I schedule.

Introduced by: Charniele L. Herring | all patrons ... notes | add to my profiles

SUMMARY AS INTRODUCED:

Limiting legislation to be considered by the 2024 Special Session I of the General Assembly and establishing a schedule for the conduct of business coming before such Special Session.

FULL TEXT

05/13/24 House: Prefiled and ordered printed; offered 05/13/24 24200118D pdf

05/13/24 House: Bill text as passed House and Senate (HJ6001ER) pdf

HISTORY

05/13/24 House: Prefiled and ordered printed; offered 05/13/24 24200118D

05/13/24 House: Taken up for immediate consideration

05/13/24 House: Engrossed by House

05/13/24 House: Agreed to by House (99-Y 0-N)

05/13/24 House: VOTE: Adoption (99-Y 0-N)

05/13/24 Senate: Received

05/13/24 Senate: Referred to Committee on Rules

05/13/24 Senate: Discharged from Rules

05/13/24 Senate: Readings waived

05/13/24 Senate: Taken up for immediate consideration

05/13/24 Senate: Agreed to by Senate (39-Y 1-N)

05/13/24 House: Bill text as passed House and Senate (HJ6001ER)

2024 SPECIAL SESSION I

INTRODUCED

24200395D

HOUSE JOINT RESOLUTION NO. 6004

Offered February 22, 2025

Relating to the scope of business that may come before the 2024 Special Session I of the General Assembly of Virginia and the procedural rules applicable to such session.

Patron—Herring

RESOLVED by the House of Delegates, the Senate concurring, That notwithstanding the limitations established by House Joint Resolution No. 6001 of the 2024 Special Session I of the General Assembly, any (i) Budget Bill or revenue bill; (ii) single-house commending or memorial resolution; (iii) bill, joint resolution, or resolution affecting the rules of procedure or schedule of business of the General Assembly, either of its houses, or any of its committees; (iv) matter relating to the election of judges and other officials subject to the election of the General Assembly; (v) appointment subject to the confirmation of the General Assembly; or (vi) bill or joint resolution addressing the impacts upon the Commonwealth, its budget, and its services due to layoffs, firings, or reductions in force by the federal government, changes to federal government programs, actions of the Department of Government Efficiency, and other actions affecting the Commonwealth relating to the federal budget may be offered and considered during the 2024 Special Session I of the General Assembly; and, be it

RESOLVED FINALLY, That the procedural rules contained in House Joint Resolution No. 6001 of the 2024 Special Session I of the General Assembly governing the 2024 Special Session I shall not be applicable beginning on February 22, 2025, except that neither house shall be permitted to consider any Budget Bill earlier than 48 hours after introduction, unless both houses respectively determine to proceed earlier by a vote of two-thirds of the members voting in each house.

INTRODUCED

HJ6004

2/22/25 14:06

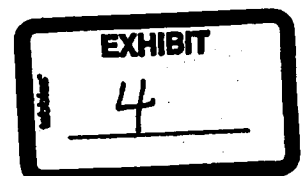
Received and filed in Tazewell County.

Virginia Circuit Court Clerk's Office.

This the 5 day of Nov, 25

Time 8:00 AM.

TESTE: [Signature]
Clerk, Deputy Clerk



2024 Special Session I

HJ6004

General Assembly; scope of business that may come before 2024 Special Session I, procedural rules.

Status

Passed

Patron

Introduced by: Charniele L. Herring (Chief Patron)

Summary As Introduced

Relating to the scope of business that may come before the 2024 Special Session I of the General Assembly of Virginia and the procedural rules applicable to such session.

Bill Versions

Show All Versions

House

Enrolled

PDF

History

2/22/2025	House	Presented, ordered printed (HJ6004)
2/22/2025	House	Taken up
2/22/2025	House	Engrossed by House
2/22/2025	House	Agreed to by House (59-Y 38-N)
2/22/2025	Senate	Read first time
2/22/2025	Senate	Referred to Committee on Rules
4/2/2025	Senate	Rules suspended (40-Y 0-N)
4/2/2025	Senate	Discharged from Courts of Justice
4/2/2025	Senate	Readings waived
4/2/2025	Senate	Taken up for immediate consideration
4/2/2025	Senate	Agreed to by Senate (40-Y 0-N)
4/11/2025	House	Bill text as passed House and Senate (HJ6004ER)

2024 SPECIAL SESSION I

INTRODUCED

24200649D

HOUSE JOINT RESOLUTION NO. 6006

Offered October 24, 2025

Relating to the scope of business that may come before the 2024 Special Session I of the General Assembly of Virginia.

Patron—Herring

RESOLVED by the House of Delegates, the Senate concurring, That notwithstanding the limitations established by House Joint Resolution No. 6001 and House Joint Resolution No. 6004 of the 2024 Special Session I of the General Assembly, any (i) Budget Bill or revenue bill; (ii) single-house commending or memorial resolution; (iii) bill, joint resolution, or resolution affecting the rules of procedure or schedule of business of the General Assembly, either of its houses, or any of its committees; (iv) matter relating to the election of judges and other officials subject to the election of the General Assembly; (v) appointment subject to the confirmation of the General Assembly; (vi) bill or joint resolution addressing the impacts upon the Commonwealth, its budget, and its services due to layoffs, firings, or reductions in force by the federal government, changes to federal government programs, actions of the Department of Government Efficiency, and other actions affecting the Commonwealth relating to the federal budget; or (vii) joint resolution proposing an amendment to the Constitution of Virginia related to reapportionment or redistricting may be offered and considered during the 2024 Special Session I of the General Assembly.

INTRODUCED

HJ6006

10/27/25 10:04

Received and filed in Tazewell County,
Virginia Circuit Court Clerk's Office.

This the 5 day of Nov, 25
Time 8:00 A.M.

TESTE: C. B. Herring
Clerk, Deputy Clerk

EXHIBIT

5

2024 Special Session I

HJ6006

General Assembly; relating to the scope of business that may come before the 2024 Special Session I.

Status
Passed

Patron
Introduced by: Charniele L. Herring (Chief Patron)

Summary As Introduced
Relating to the scope of business that may come before the 2024 Special Session I of the General Assembly of Virginia.

Bill Versions	Show All Versions	
House	Introduced	PDF
History		
10/24/2025	House	Presented, ordered printed (HJ6006)
10/27/2025	House	Taken up
10/27/2025	House	Engrossed by House
10/27/2025	House	Agreed to by House (50-Y 42-N 0-A)
10/27/2025	Senate	Failed to suspend the rules (21-Y 17-N 0-A)
10/27/2025	Senate	Referred to Committee on Rules
10/27/2025	Senate	Reported from Rules (11-Y 4-N)
10/27/2025	Senate	Readings waived
10/27/2025	Senate	Taken up for immediate consideration
10/28/2025	Senate	Read second time
10/29/2025	Senate	Read third time
10/29/2025	Senate	Amendments by Senator rejected (17-Y 21-N 0-A)
10/29/2025	Senate	Amendments by Senator rejected (18-Y 19-N 0-A)
10/29/2025	Senate	Motion to limit debate agreed to (20-Y 17-N 0-A)
10/29/2025	Senate	Agreed to by Senate (21-Y 17-N 0-A)

2024 SPECIAL SESSION I

ENROLLED

HOUSE JOINT RESOLUTION NO. 6007

Proposing an amendment to Section 6 of Article II of the Constitution of Virginia and proposing an amendment to the Constitution of Virginia by adding in the Schedule a section numbered 6, relating to apportionment; congressional districts; limited authority of the General Assembly to modify.

Agreed to by the House of Delegates, October 29, 2025
Agreed to by the Senate, October 31, 2025

RESOLVED by the House of Delegates, the Senate concurring, a majority of the members elected to each house agreeing, That the following amendments to the Constitution of Virginia be, and the same hereby are, 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 6 of Article II of the Constitution of Virginia and amend the Constitution of Virginia by adding in the Schedule a section numbered 6 as follows:

ARTICLE II FRANCHISE AND OFFICERS

Section 6. Apportionment.

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 (ii) 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.

Received and filed in Tazewell County,

Virginia Circuit Court Clerk's Office.

This the 5 day of Nov, 2025

Time 8:00 A.M.

TESTE C. Brantley
Clerk Deputy Clerk

ENROLLED

HJ6007ER

EXHIBIT

6

2024 Special Session I

HJ6007

Constitutional amendment; apportionment, congress dists, limited authority of the GA to modify.

Status

Passed

Patrons All Patrons

Introduced by: Rodney T. Willett (Chief Patron)

Summary As Introduced

Constitutional amendment (first reference); apportionment; congressional districts; limited authority of the General Assembly to modify. Proposes an amendment to the Constitution of Virginia related to the establishment of congressional districts. The amendment provides explicit authority for the General Assembly to modify one or more congressional districts, outside of the standard decennial redistricting cycle, in the event that any other state conducts a redistricting of the state's congressional districts outside of the standard decennial redistricting cycle or for any purpose other than complying with a state or federal court order to remedy an unlawful or unconstitutional district map. Additionally, an amendment to the Schedule of the Constitution of Virginia is proposed to specify the period of time to which such authorization is limited.

Bill Versions

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House

Enrolled

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History

10/28/2025	House	Presented and ordered printed 24200715D
10/28/2025	House	Referred to Committee on Privileges and Elections
10/29/2025	House	Reported from Privileges and Elections (12-Y 9-N)
10/29/2025	House	Taken up
10/29/2025	House	Engrossed by House
10/29/2025	House	Agreed to by House (51-Y 42-N 0-A)
10/29/2025	Senate	Read first time
10/29/2025	Senate	Referred to Committee on Privileges and Elections
10/29/2025	Senate	Reported from Privileges and Elections (8-Y 6-N)
10/30/2025	Senate	Read second time
10/31/2025	Senate	Read third time
10/31/2025	Senate	Reading of amendment waived (Voice Vote)

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10/31/2025	Senate	Pending question ordered (21-Y 16-N 0-A)
10/31/2025	Senate	Senator Head, Christopher T. Amendments rejected (16-Y 21-N 0-A)
10/31/2025	Senate	Agreed to by Senate (21-Y 16-N 0-A)
10/31/2025	House	Bill text as passed House and Senate (HJ6007ER)

Code of Virginia
Title 30. General Assembly
Chapter 1. General Assembly and Officers Thereof

§ 30-13. Other duties of Clerk of House of Delegates; publication of proposed amendments to Constitution.

In addition to such duties as may be prescribed by the rules of the House of Delegates, the Clerk of the House of Delegates shall at the end of the session of the General Assembly prepare a well-arranged index to the journal of the House and the documents printed during the session by order of the House. He shall have published, with the acts and joint resolutions proposing amendments to the Constitution: joint resolutions providing for studies for legislation of each session of the General Assembly; the unadjusted United States decennial census counts for the Commonwealth's counties, cities, and towns; and a carefully prepared and well-arranged index of the acts and joint resolutions.

The Clerk of the House of Delegates shall have published all proposed amendments to the Constitution for distribution from his office and to the clerk of the circuit court of each county and city two copies of the proposed amendments, one of which shall be posted at the front door of the courthouse and the other shall be made available for public inspection. Every clerk of the circuit court shall complete the posting required not later than three months prior to the next ensuing general election of members of the House of Delegates and shall certify such posting to the Clerk of the House of Delegates. The Clerk of the House of Delegates shall report to the General Assembly at its next regular session the action taken by him under this section, including the costs incurred in the printing and distribution of the amendments. The report shall be published in the Journal of the House of Delegates.

Code 1919, § 306; 1920, p. 396; 1927, p. 211; 1940, p. 471; 1946, p. 171; 1959, Ex. Sess., c. 84; 1969, Ex. Sess., c. 13; 1971, Ex. Sess., c. 71; 1976, c. 170; 1993, c. 399; 1994, c. 623; 2005, c. 839.

ATTACHMENT
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Article IV. Legislature

Section 13. Effective date of laws

All laws enacted at a regular session, including laws which are enacted by reason of actions taken during the reconvened session following a regular session, but excluding a general appropriation law, shall take effect on the first day of July following the adjournment of the session of the General Assembly at which it has been enacted; and all laws enacted at a special session, including laws which are enacted by reason of actions taken during the reconvened session following a special session but excluding a general appropriation law, shall take effect on the first day of the fourth month following the month of adjournment of the special session; unless in the case of an emergency (which emergency shall be expressed in the body of the bill) the General Assembly shall specify an earlier date 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, or unless a subsequent date is specified in the body of the bill or by general law.

The amendment ratified November 4, 1980 and effective January 1, 1981—Rewrote the section so that all laws enacted at regular sessions and reconvened sessions which follow will take effect on July 1 rather than on the first day of the fourth month following the month of adjournment, and all laws enacted at special sessions and reconvened sessions which follow will take effect on the fourth month following the month of adjournment, excluding the general appropriation laws.

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Article IV. Legislature

Section 14. Powers of General Assembly; limitations

The authority of the General Assembly shall extend to all subjects of legislation not herein forbidden or restricted; and a specific grant of authority in this Constitution upon a subject shall not work a restriction of its authority upon the same or any other subject. The omission in this Constitution of specific grants of authority heretofore conferred shall not be construed to deprive the General Assembly of such authority, or to indicate a change of policy in reference thereto, unless such purpose plainly appear.

The General Assembly shall confer on the courts power to grant divorces, change the names of persons, and direct the sales of estates belonging to infants and other persons under legal disabilities, and shall not, by special legislation, grant relief in these or other cases of which the courts or other tribunals may have jurisdiction.

The General Assembly may regulate the exercise by courts of the right to punish for contempt. The General Assembly's power to define the accrual date for a civil action based on an intentional tort committed by a natural person against a person who, at the time of the intentional tort, was a minor shall include the power to provide for the retroactive application of a change in the accrual date. No natural person shall have a constitutionally protected property right to bar a cause of action based on intentional torts as described herein on the ground that a change in the accrual date for the action has been applied retroactively or that a statute of limitations or statute of repose has expired.

The General Assembly shall not enact any local, special, or private law in the following cases:

- (1) For the punishment of crime.
- (2) Providing a change of venue in civil or criminal cases.
- (3) Regulating the practice in, or the jurisdiction of, or changing the rules of evidence in any judicial proceedings or inquiry before the courts or other tribunals, or providing or changing the methods of collecting debts or enforcing judgments or prescribing the effect of judicial sales of real estate.
- (4) Changing or locating county seats.
- (5) For the assessment and collection of taxes, except as to animals which the General Assembly may deem dangerous to the farming interests.
- (6) Extending the time for the assessment or collection of taxes.
- (7) Exempting property from taxation.
- (8) Remitting, releasing, postponing, or diminishing any obligation or liability of any person, corporation, or association to the Commonwealth or to any political subdivision thereof.
- (9) Refunding money lawfully paid into the treasury of the Commonwealth or the treasury of any political subdivision thereof.
- (10) Granting from the treasury of the Commonwealth, or granting or authorizing to be granted from the treasury of any political subdivision thereof, any extra compensation to any public officer, servant, agent, or contractor.
- (11) For registering voters, conducting elections, or designating the places of voting.
- (12) Regulating labor, trade, mining, or manufacturing, or the rate of interest on money.
- (13) Granting any pension.

- (14) Creating, increasing, or decreasing, or authorizing to be created, increased, or decreased, the salaries, fees, percentages, or allowances of public officers during the term for which they are elected or appointed.
- (15) Declaring streams navigable, or authorizing the construction of booms or dams therein, or the removal of obstructions therefrom.
- (16) Affecting or regulating fencing or the boundaries of land, or the running at large of stock.
- (17) Creating private corporations, or amending, renewing, or extending the charters thereof.
- (18) Granting to any private corporation, association, or individual any special or exclusive right, privilege, or immunity.
- (19) Naming or changing the name of any private corporation or association.
- (20) Remitting the forfeiture of the charter of any private corporation, except upon the condition that such corporation shall thereafter hold its charter subject to the provisions of this Constitution and the laws passed in pursuance thereof.

The amendment ratified November 8, 1994 and effective January 1, 1995—Added a new paragraph after paragraph three.

The amendment ratified November 7, 2006, and effective January 1, 2007—Deleted the last paragraph relating to charters of incorporation to churches.

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Article XII. Future Changes

Section 1. Amendments

Any amendment or amendments to this Constitution may be proposed in the Senate or House of Delegates, and if the same shall be agreed to by a majority of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals, the name of each member and how he voted to be recorded, and referred to the General Assembly at its first regular session held after the next general election of members of the House of Delegates. If at such regular session or any subsequent special session of that General Assembly the proposed amendment or amendments shall be agreed to by a majority of all the members elected to each house, then it shall be the duty of the General Assembly to submit such proposed amendment or amendments to the voters qualified to vote in elections by the people, in such manner as it shall prescribe and not sooner than ninety days after final passage by the General Assembly. If a majority of those voting vote in favor of any amendment, it shall become part of the Constitution on the date prescribed by the General Assembly in submitting the amendment to the voters.

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