

# 2026 SESSION

INTRODUCED

26100403D

1 **SENATE BILL NO. 311**

2 Offered January 14, 2026

3 Prefiled January 13, 2026

4 *A BILL to provide for the submission to the voters of a proposed amendment to Section 15-A of Article I of*  
5 *the Constitution of Virginia, relating to marriage between two adult persons; repeal of same-sex marriage*  
6 *prohibition.*

7 Patrons—Ebbin, Boysko and Roem

8  
9 Referred to Committee on Privileges and Elections

10 **Be it enacted by the General Assembly of Virginia:**

11 1. It shall be the duty of the officers conducting the election directed by law to be held on the Tuesday  
12 after the first Monday in November 2026, at the places appointed for holding the same, to open a poll and  
13 take the sense of the qualified voters upon the ratification or rejection of the proposed amendment to the  
14 Constitution of Virginia, contained herein and in the joint resolution proposing such amendment, to wit:

15 Amend Section 15-A of Article I of the Constitution of Virginia as follows:

16 **ARTICLE I**

17 **BILL OF RIGHTS**

18 **Section 15-A. Marriage.**

19 That only a union between one man and one woman may be a marriage valid in or recognized by this  
20 Commonwealth and its political subdivisions marriage is one of the vital personal rights essential to the  
21 orderly pursuit of happiness.

22 This Commonwealth and its political subdivisions shall not create or recognize a legal status for  
23 relationships of unmarried individuals that intends to approximate the design, qualities, significance, or  
24 effects of marriage deny the issuance of a marriage license to two adult persons seeking a lawful marriage on  
25 the basis of the sex, gender, or race of such persons. Nor shall this Commonwealth or its political  
26 subdivisions create or recognize another union, partnership, or other legal status to which is assigned the  
27 rights, benefits, obligations, qualities, or effects of marriage. This Commonwealth and its political  
28 subdivisions shall recognize any lawful marriage between two adult persons and treat such marriages  
29 equally under the law, regardless of the sex, gender, or race of such persons.

30 § 2. The ballot shall contain the following question:

31 "Question: Should the Constitution of Virginia be amended to require the equal treatment under law of  
32 any lawful marriage between two adult persons, regardless of the sex, gender, or race of such persons, and to  
33 repeal the current provision defining marriage as only a union between a man and woman?"

34 The ballots shall be prepared, distributed and voted, and the results of the election shall be ascertained and  
35 certified, in the manner prescribed by § 24.2-684 of the Code of Virginia. The State Board of Elections shall  
36 comply with § 30-19.9 of the Code and shall cause to be sent to the electoral boards of each county and city  
37 sufficient copies of the full text of the amendment and question contained herein for the officers of election to  
38 post in each polling place on election day.

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

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

48 If a majority of those voting vote in favor of the amendment, it shall become effective on January 1, 2027.

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

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