

26106008D

SENATE BILL NO. 769

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Finance and Appropriations
on January 22, 2026)

(Patron Prior to Substitute—Senator Lucas)

A BILL to amend and reenact Items 5 and 6 and Enactments 14, 15, and 16 of Chapter 725 of the Acts of Assembly of 2025, which appropriates the public revenues for two years ending, respectively, on June 30, 2025, and June 30, 2026, and to amend Chapter 725 of the Acts of Assembly of 2025, which appropriates the public revenues for two years ending, respectively, on June 30, 2025, and June 30, 2026, by adding an item numbered 78.10 and by adding enactments numbered 17, 18, 19, and 20 which appropriates the public revenues for two years ending, respectively, on June 30, 2025, and June 30, 2026; and to provide for the submission to the voters of proposed amendments to the Constitution of Virginia by amending Section 6 of Article II and by adding in the Schedule a section numbered 6; and to repeal § 30-13 of the Code of Virginia, relating to the general appropriation act; Department of Elections.

Be it enacted by the General Assembly of Virginia:

1. That Items 5 and 6 and Enactments 14, 15, and 16 of Chapter 725 of the Acts of Assembly of 2025 are amended and reenacted and that Chapter 725 of the Acts of Assembly of 2025 is amended and reenacted by adding an item numbered 78.10 and by adding enactments numbered 17, 18, 19, and 20, as follows:

Item 5. Division of Legislative Automated Services

a	5		First Year - FY2025	Second Year - FY2026
b		<i>Information Technology Development and Operations (82000)</i>	\$6,950,723	\$7,100,723
c		<i>Computer Operations Services (82001)</i>	\$6,950,723	\$7,100,723
d		<i>Fund Sources:</i>		\$7,200,723
e		<i>General</i>	\$6,663,128	\$6,813,128
f		<i>Special</i>	\$287,595	\$6,913,128
				\$287,595

Authority: Title 30, Chapter 3.2, Code of Virginia.

A. Out of this appropriation shall be paid the annual salary of the Director, Division of Legislative Automated Systems, \$210,452 from June 10, 2024 to June 9, 2025 and \$216,766 from June 10, 2025 to June 30, 2026.

B. Included in this appropriation is funding sufficient for the ongoing replacement of a legacy legislative bill tracking system. The expenditure of these funds is contingent on the Director of the Division of Legislative Automated Systems developing a detailed implementation plan and submitting the plan to the Committee on Joint Rules for its approval. Any procurement of a replacement legislative bill tracking system shall be exempt from the provisions of the Virginia Public Procurement Act (§ 2.2-4300 et. seq.) of the Code of Virginia and the contract review provisions of § 2.2-2012. The plan may propose to procure a replacement legislative bill tracking system using (i) a request for information or a request for proposal, singly or jointly or in any combination thereof, (ii) such other industry recognized procurement method for procuring a management information system, or (iii) such other procurement method that comports with the best interests of the Commonwealth in the determination of the Director.

C. The Director, Division of Legislative Automated Systems, shall provide a detailed accounting of funding provided since fiscal year 2020 for the replacement of the legacy legislative tracking system, and separately for other legislative system replacements and upgrades. Such accounting shall be provided to the Chairs of the Joint Rules Committee, the House Appropriations Committee, and the Senate Finance and Appropriations Committee by October 1, 2024.

D. Out of the amounts included in this item, \$201,140 the first year and \$201,140 the second year from the general fund is provided to complete the replacement of a legacy legislative bill tracking system.

E. Out of the amounts included in this item, \$50,000 the first year and \$50,000 the second year from the general fund is provided for software, security, and infrastructure upgrades for the Division of Legislative Automated Systems.

F. Out of this appropriation, \$100,000 the second year from the general fund shall be provided for costs associated with the April 21, 2026, special election.

Item 6. Division of Legislative Services

a	6		First Year - FY2025	Second Year - FY2026
b		<i>Legislative Research and Analysis (78400)</i>	\$9,640,479	\$9,640,479
			\$9,915,804	\$9,860,479

60	c	<i>Bill drafting and Preparation (78401)</i>	\$9,640,479	\$9,640,479
61	d	<i>Fund Sources:</i>	\$9,915,804	\$9,980,479
62	e	<i>General</i>	\$9,620,449	\$9,620,449
63	f	<i>Special</i>	\$20,030	\$9,840,449
64			\$295,355	\$20,030
65				

66 *Authority: Title 30, Chapter 2.2, Code of Virginia.*

67 *A. Out of this appropriation shall be paid the annual salary of the Director, Division of Legislative*
 68 *Services, \$202,701 from June 10, 2024 to June 9, 2025 and \$208,782 \$219,221 from June 10, 2025 to June*
 69 *30, 2026.*

70 *B. Notwithstanding the salary set out in paragraph A. of this item, the Committee on Joint Rules may*
 71 *establish a salary range for the Director, Division of Legislative Services.*

72 *C. The Division of Legislative Services shall continue to provide administrative support to include payroll*
 73 *processing, accounting, and travel expense processing at no charge to the Behavioral Health Commission,*
 74 *the Chesapeake Bay Commission, the Joint Commission on Health Care, the Virginia Commission on Youth,*
 75 *the Commission on Electric Utility Regulation, and the Virginia State Crime Commission.*

76 *D. Notwithstanding any other provision of law, the Senate Joint Resolution 10 (2022 Session) Joint*
 77 *Subcommittee to Examine the Commonwealth's Pandemic Response shall continue conducting its study and*
 78 *meet as needed to provide a final report by December 1, 2024. Any remaining appropriation at year end*
 79 *shall be carried forward to the subsequent fiscal year to support the Joint Subcommittee.*

80 *E. The Division shall procure additional expertise as necessary in its role as staff support to the Virginia*
 81 *Gaming Commission established by House Joint Resolution 548, 2023 Acts of Assembly. In addition to the*
 82 *activities directed in HJR 548, the Joint Subcommittee shall evaluate all potential options to consolidate*
 83 *gaming regulation and oversight in the Commonwealth and provide a detailed transition plan in support of*
 84 *recommendations.*

85 *F. Out of this appropriation, \$275,325 the first year from dedicated special revenue is provided to*
 86 *implement the recommendations of the Chesapeake Bay Restoration Fund Advisory Committee.*

87 *G. Out of this appropriation, \$120,000 from the general fund the second year shall be provided for one*
 88 *position to support the Commission on Women's Health.*

89 *F. Out of this appropriation, \$100,000 the second year from the general fund shall be provided for costs*
 90 *associated with the April 21, 2026, special election.*

91 *Item 78.10. Department of Elections*

92 a	78.10		First Year - FY2025	Second Year - FY2026
93 b		<i>Financial Assistance to Localities - General (72800)</i>	\$0	\$5,000,000
94 c		<i>Funding for Special Elections and Assistance to Localities (72823)</i>	\$0	\$5,000,000
95 d		<i>Fund Sources:</i>		
96 e		<i>General</i>	\$0	\$5,000,000
97				
98				

99 *Authority: Title 24.2, Chapter 1, Code of Virginia*

100 *A. Out of this appropriation, \$5,000,000 the second year from the general fund shall be provided to the*
 101 *Department of Elections for the costs associated with the April 21, 2026, special election. Unless otherwise*
 102 *prohibited by law, the funding may be used for voter education, administrative costs of the Department, grant*
 103 *funding to localities to defray the costs of absentee voting in-person, and other costs associated with the April*
 104 *21, 2026, special election.*

105 *B. Localities shall establish voter satellite offices for the April 21, 2026, special election, that allow for*
 106 *appropriate access to in-person absentee voting.*

107 *14. § 1. It shall be the duty of the officers responsible for conducting the election directed by law to be held*
 108 *on the Tuesday after the first Monday in November each year, to conduct an election, at the places*
 109 *appointed for holding the same, on Tuesday, April 21, 2026, for the purpose of taking the sense of the*
 110 *qualified voters upon the ratification or rejection of the proposed amendments to the Constitution of*
 111 *Virginia, contained herein and in the joint resolution proposing such amendments, to wit:*

112 *Amend Section 6 of Article II of the Constitution of Virginia and amend the Constitution of Virginia by*
 113 *adding in the Schedule a section numbered 6 as follows:*

114 **ARTICLE II**
 115 **FRANCHISE AND OFFICERS**

116 **Section 6. Apportionment.**

117 *Members of the House of Representatives of the United States and members of the Senate and of the*
 118 *House of Delegates of the General Assembly shall be elected from electoral districts established pursuant to*
 119 *this section and Section 6-A of this Constitution. Every electoral district shall be composed of contiguous and*

120 compact territory and shall be so constituted as to give, as nearly as is practicable, representation in
 121 proportion to the population of the district. Every electoral district shall be drawn in accordance with the
 122 requirements of federal and state laws that address racial and ethnic fairness, including the Equal Protection
 123 Clause of the Fourteenth Amendment to the Constitution of the United States and provisions of the Voting
 124 Rights Act of 1965, as amended, and judicial decisions interpreting such laws. Districts shall provide, where
 125 practicable, opportunities for racial and ethnic communities to elect candidates of their choice.

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

135 Any such decennial reapportionment law, *or reapportionment law modifying one or more congressional*
 136 *districts,* shall take effect immediately and not be subject to the limitations contained in Article IV, Section
 137 13, of this Constitution.

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

SCHEDULE

Section 6. Application and duration of certain redistricting amendments.

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

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

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

156 The ballots shall be prepared, distributed and voted, and the results of the election shall be ascertained and
 157 certified, in the manner prescribed by § 24.2-684 of the Code of Virginia. The State Board of Elections shall
 158 cause to be sent to the electoral boards of each county and city sufficient copies of the full text of the
 159 amendments and question contained herein for the officers of election to post in each polling place on April
 160 21, 2026. The State Board of Elections shall be deemed to be in compliance with the provisions of § 30-19.9
 161 of the Code if the information required by that section is sent to the electoral boards on or before Monday,
 162 March 2, 2026.

163 The electoral board of each county and city shall, as soon as possible but no later than six days after the
 164 day of the election, make out, certify, and forward an abstract of the votes cast for and against such proposed
 165 amendments in the manner now prescribed by law in relation to votes cast in general elections.

166 Notwithstanding the provisions of subsection B of § 24.2-679, the State Board of Elections shall meet as
 167 soon as possible after receipt of the certified abstracts but no later than fourteen days after the day of the
 168 election to open and canvass such abstracts and examine and report the whole number of votes cast at the
 169 election for and against such amendments in the manner now prescribed by law in relation to votes cast in
 170 general elections. The State Board of Elections shall record a certified copy of such report in its office and
 171 without delay make out and transmit to the Governor an official copy of such report, certified by it. The
 172 Governor shall without delay make proclamation of the result, stating therein the aggregate vote for and
 173 against the amendments.

174 If a majority of those voting vote in favor of the amendments, they shall become effective upon
 175 certification by the State Board of Elections.

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

178 *15. That § 30-13 of the Code of Virginia is repealed.*

179 *16. That the provisions of the fifteenth enactment of this act shall be retroactive effective beginning*

182 *July 1, 1971.*

183 *17. Notwithstanding any other law to the contrary, in any action or suit related to any resolution*
184 *concerning a constitutional amendment, any election related to a constitutional amendment, any enacted*
185 *constitutional amendment, or any related statute, including any claim related to the process, efficacy,*
186 *implementation, or interpretation thereof, venue shall only be proper in the Circuit Court of the City of*
187 *Richmond. The provisions of this enactment shall be effective September 1, 2025, and shall be broadly*
188 *construed. Upon passage, any pending suit affected by this legislation shall be immediately transferred to*
189 *the Circuit Court of the City of Richmond.*

190 *44. 18. That the provisions of the first and second enactment enactments of this act shall expire at*
191 *midnight on June 30, 2026.*

192 *545. 19. That the provisions of the second third, fifth, sixth, seventh, eighth, ninth, tenth, eleventh,*
193 *twelfth, and thirteenth, fourteenth, fifteenth, sixteenth, and seventeenth enactment enactments of this act*
194 *shall have no expiration date.*

195 *646. 20. That the provisions of the third fourth enactment of this act are declarative of existing law*
196 *and shall have no expiration date.*

197 *2. That this act is effective on its passage as provided in § 1-214 of the Code of Virginia.*