

On Your Ballot



QUESTION 3

**A Constitutional Amendment
About Voting Rights**

**Being under guardianship
should not automatically
mean losing your right to vote.**



Election Day • November 3, 2026



GUARDIANSHIP & VOTING CAPACITY

Virginia's Constitution currently says a person found "mentally incompetent" by a court cannot vote until competency is restored.

QUESTION 3 WOULD CHANGE THAT.

A person could lose the right to vote based on capacity **only** if a court specifically finds that the person "lacks the capacity to understand the act of voting."

Virginia law requires a specific finding based on clear and convincing evidence. Reasonable accommodations must be provided when determining a person's capacity to understand voting.



WHY DOES THIS MATTER?

Needing support with some decisions does not mean someone cannot understand what or who to vote for.

A person may need a guardian to help with health care, finances or other areas of life and still understand the act of voting.



Needing guardianship and voting capacity should not be treated as the same thing.



WHAT ELSE WOULD QUESTION 3 DO IF IT PASSES?

1

Establish a fundamental right to vote in the Virginia Constitution

2

Restore certain people's right to vote after being incarcerated (being in prison).

3

Replace the VA Constitution's current "mentally incompetent" language with specific standards



The Arc of Virginia supports Question 3

WE ARE 1 IN 5 • AND WE VOTE.



Election Day: November 3, 2026

| thearcofva.org