

1 **H. B. 2089**

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3 (By Delegates Fragale and Iaquina)  
4 [Introduced January 12, 2011; referred to the  
5 Committee on the Judiciary.]  
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10 A BILL to amend and reenact §3-1-3 of the Code of West Virginia,  
11 1931, as amended, relating to prohibiting any person convicted  
12 of any felony from voting in an election of state and local  
13 officials.

14 *Be it enacted by the Legislature of West Virginia:*

15 That §3-1-3 of the Code of West Virginia, 1931, as amended, be  
16 amended and reenacted to read as follows:

17 **ARTICLE 1. GENERAL PROVISIONS AND DEFINITIONS.**

18 **§3-1-3. Persons entitled to vote.**

19 Citizens of the state shall be entitled to vote at all  
20 elections held within the precincts of the counties and  
21 municipalities in which they respectively reside. But ~~no~~ any  
22 person who has not been registered as a voter as required by law,  
23 or who is a minor, or of unsound mind, or who is under conviction  
24 of treason, any felony or bribery, ~~in an election,~~ or who is not a

1 bona fide resident of the state, county or municipality in which he  
2 or she offers to vote, ~~shall~~ may not be permitted to vote at ~~such~~  
3 an election while ~~such~~ the disability continues. Subject to the  
4 qualifications otherwise prescribed in this section, however, a  
5 minor shall be permitted to vote only in a primary election if he  
6 or she will have reached the age of 18 years on the date of the  
7 general election next to be held after ~~such~~ the primary election.

NOTE: The purpose of this bill is to prohibit any person convicted of any felony from voting in a state election.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.