

1 **H. B. 2103**

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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 §6-5-5 of the Code of West Virginia,

11 1931, as amended, relating to public office and prohibiting a

12 person convicted of any felony from holding any public office.

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

14 That §6-5-5 of the Code of West Virginia, 1931, as amended, be

15 amended and reenacted to read as follows:

16 **ARTICLE 5. TERMS OF OFFICE; MATTERS AFFECTING THE RIGHT TO HOLD**

17 **OFFICE.**

18 **§6-5-5. Disqualification by conviction of treason, felony or**

19 **bribery.**

20 ~~No~~ A person convicted of treason, any felony, or bribery, ~~in~~

21 ~~any election~~ before any court in or out of this state, ~~shall~~, while

22 ~~such~~ the conviction remains unreversed, may not be elected or

23 appointed to any office under the laws of this state; and, if any

24 person, while holding ~~such~~ an office, ~~be so~~ is convicted, the

1 office shall be ~~thereby~~ vacated.

NOTE: The purpose of this bill is to prohibit convicted felons from holding public office.

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