

**WEST VIRGINIA LEGISLATURE**  
**EIGHTY-FIRST LEGISLATURE**  
**REGULAR SESSION, 2014**



**ENROLLED**

COMMITTEE SUBSTITUTE

FOR

**Senate Bill No. 553**

(SENATORS EDGELL, FITZSIMMONS, COOKMAN, YOST AND  
BEACH, *ORIGINAL SPONSORS*)

[PASSED MARCH 8, 2014; IN EFFECT NINETY DAYS FROM PASSAGE.]

**E N R O L L E D**

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**Senate Bill No. 553**

(SENATORS EDGELL, FITZSIMMONS, COOKMAN, YOST AND BEACH,  
*original sponsors*)

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[Passed March 8, 2014; in effect ninety days from passage.]

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AN ACT to amend and reenact §3-5-24 of the Code of West Virginia, 1931, as amended, relating to certificates of nomination for elected office; stating filing deadlines for certificates of nomination; declaring location where certificates of nomination must be filed; clarifying with whom the certificates are filed and to whom the fees are to be paid; prohibiting untimely filings or untimely fee payment; and clarifying that this section does not apply to nonpartisan elections.

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

That §3-5-24 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

**ARTICLE 5. PRIMARY ELECTIONS AND NOMINATING  
PROCEDURES.**

**§3-5-24. Filing of nomination certificates; time; location; fees; effect of failure to timely file or pay fee.**

1 (a) All certificates nominating candidates for office under  
2 section twenty-three of this article shall be filed not later than  
3 August 1 preceding the November general election:  
4 *Provided*, That for municipal or other elections not held in  
5 conjunction with regular state and county general elections,  
6 certificates shall be filed not later than ninety days before the  
7 date of the election, unless otherwise provided by charter,  
8 ordinance or code.

9 (b) The nomination certificate required by this section  
10 and section twenty-three of this article shall be filed:

11 (1) In the case of a candidate to be voted for by the voters  
12 of the entire state or by any subdivision of the state other than  
13 a single county, with the Secretary of State;

14 (2) In the case of all candidates for county and  
15 magisterial district offices, including all offices to be filled by  
16 the voters of a single county, with the clerk of the county  
17 commission; and

18 (3) In the case of candidates for election in a  
19 municipality, with the recorder or other official designated by  
20 charter or ordinance to perform election responsibilities.

21 (c) Each candidate shall pay the filing fee required by  
22 section eight of this article, at the time of the filing of the  
23 nomination certificate.

24 (d) If any nomination certificate is not timely filed or if  
25 the filing fee is not timely paid, the certificate may not be  
26 received by the Secretary of State, the clerk of the county

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27 commission or the recorder or other official designated by  
28 charter or ordinance to perform municipal election  
29 responsibilities, as the case may be.

30 (e) This section is inapplicable to nonpartisan elections.



The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

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*Chairman Senate Committee*

.....  
*Chairman House Committee*

Originated in the Senate.

In effect ninety days from passage.

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*Clerk of the Senate*

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*Clerk of the House of Delegates*

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*President of the Senate*

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*Speaker of the House of Delegates*

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The within ..... this  
the ..... Day of ....., 2014.

.....  
*Governor*