

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Introduced

Senate Bill 429

BY SENATORS ROMANO, BALDWIN, BEACH, FACEMIRE,
JEFFRIES, LINDSAY, STOLLINGS, SWOPE, WOELFEL,
HARDESTY, AND PALUMBO

[Introduced January 25, 2019; Referred
to the Committee on the Judiciary]

1 A BILL to amend and reenact §3-2-6 of the Code of West Virginia, 1931, as amended, relating to
2 allowing voters who register in person at the office of the county clerk to register and vote
3 during early in-person voting.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. REGISTRATION OF VOTERS.

§3-2-6. Time of registration application before an election.

1 (a) Voter registration before an election closes on the 21st day before the election or on
2 the first day thereafter which is not a Saturday, Sunday or legal holiday: Provided, That voters
3 who register in accordance with the provisions of §3-2-7(b) of this code are eligible to register and
4 vote during the early in-person period specified in §3-3-3 of this code.

5 (b) An application for voter registration, transfer of registration, change of name or change
6 of political party affiliation submitted by an eligible voter by the close of voter registration is
7 effective for any subsequent primary, general or special election if the following conditions are
8 met:

9 (1) The application contains the information required by subsection (c), section five of this
10 article. Incomplete applications for registration containing information which are submitted within
11 the required time may be corrected within four business days after the close of registration if the
12 applicant provides the required information; and

13 (2) The application is received by the appropriate clerk of the county commission no later
14 than the hour of the close of registration or is otherwise submitted by the following deadlines:

15 (A) If mailed, the application shall be addressed to the appropriate clerk of the county
16 commission and is postmarked by the postal service no later than the date of the close of
17 registration. If the postmark is missing or illegible, the application is presumed to have been mailed
18 no later than the close of registration if it is received by the appropriate clerk of the county
19 commission no later than the third day following the close of registration;

20 (B) If accepted by a designated agency or motor vehicle licensing office, the application is

21 received by that agency or office no later than the close of registration;

22 (C) If accepted through a registration outreach program, the application is received by the
23 clerk, deputy clerk or registrar no later than the close of registration;

24 (D) If accepted through an approved electronic voter registration system, the application
25 is received by the clerk of the county commission or other entity designated by the Secretary of
26 State no later than the close of business on the final day of registration; and

27 (3) The verification notice by the provisions of section sixteen of this article mailed to the
28 voter at the residence indicated on the application is not returned as undeliverable.

NOTE: The purpose of this bill is to allow voters who register in person at the office of the County Clerk to register and vote during early voting.

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